

LOK SABHA

DEBATES

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NEW DELHI

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T

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 Thagarajan, Shri P (Sivaganga)
 Thorat, Shri Bhansaheb (Pandharpur)
 Turkey, Shri Pius (Alipurduar)
 Tiwari Shri Brij Bhushan (Khalilabad)
 Tiwary, Pandit D N (Gopalganj)
 Tiwary, Shri Madan (Rajnandgaon)
 Tiwary, Shri Ramanand (Buxar)
 Tohra, Shri G S (Patials)
 Tombi Singh, Shri N (Inner Manipur)
 Tripathi, Shri Madhav Prasad (Domariaganj)
 Tripathi, Shri Ram Prakash (Kannau)
 Tulsiram, Shri V (Peddapalli)
 Tur, Shri Mohan Singh (Taran Taran)
 Tyagi, Shri O P (Bahroich)

U

Uggrasen, Shri (Deoria)
 Unnikrishnan, Shri K. P. (Bādagara)

V

Vaghela Shri Shankersinhji (Kapat vanj)
 Vajpayee Shri Atal Bihari (New Delhi)
 Vakil, Shri Abdul Ahed (Saramulla)
 Varma Shri Brij Lal (Mahasamund)
 Varma Shri Ravindra (Ranchi)
 Vasisht, Shri Dharm Vir (Faridabad)
 Veerobhoolippi, Shri K. S. (Pellary)
 Venkataraman, Shri R. (Madras South)
 Venkatareddy, Shri P. (Ongole)
 Venkatswamy, Shri G. (Siddipet)
 Vanugopal, Shri (Wandiwash)
 Verma Shri Chandradeo Prasad (Arrah)
 Verma, Shri Phool Chand (Shajapur)
 Verma, Shri Hargovind (Sitapur)
 Verma, Shri R. L. P. (Koderma)
 Verma, Shri Raghunath Singh (Mainpuri)

Verma, Shri S. P. (Chatra)

Virk, Sardar Raghbir Singh (Kuru-kshetra)

'Visharad', Shri Phirangi Prasad (Bansgaon)

Visvanathan, Shri C. N. (Tiruppattur)

Y

Yadav, Shri Gyaneshwar Prasad (Khagaria)
 Yadav, Shri Hukmdeo Narain (Madhubani)
 Yadav, Shri Jagdambi Prasad (Godda)
 Yadav, Shri Narsingh (Chandauli)
 Yadav, Shri Ram Naresh (Azamgarh)
 Yadav, Shri Ramji Lal (Alwar)
 Yadav, Shri Sharad (Jabalpur)
 Yadav, Shri Vinayak Prasad (Saharsa)
 Yadava, Shri Roop Nath Singh (Pratapgarh)
 Yuvraj Shri (Katihar)

Z

Zulfiquarulla, Shri (Sultanpur)

LOK SABHA

The Speaker

Shri N Sanjiva Reddy

The Deputy Speaker

Shri Godey Murahari

Panel of Chairmen

Shri Dhirendranath Basu

Shri Tridib Chaudhuri

Miss Abha Maiti

Shri S D Patil

Shri M. Satyanarayan Rao

Shri Dwarka Nath Tiwary

Secretary-General

Shri S L Shukdher

GOVERNMENT OF INDIA

Members of Cabinet

The Prime Minister	Shri Morarji R. Desai
The Minister of Home Affairs	Chaudhuri Charan Singh
The Minister of Defence	Shri Jagjivan Ram
The Minister of Information and Broadcasting	Shri L. K. Advani
The Minister of Agriculture and Irrigation	Shri Prakash Singh Badal
The Minister of Chemicals and Fertilizers	Shri H. N. Bahuguna
The Minister of Works and Housing and Supply and Rehabilitation	Shri Sikandar Bakht
The Minister of Law, Justice and Company Affairs	Shri Shanti Bhushan
The Minister of Education, Social Welfare and Culture	Shri Pratap Chandra Chunder
The Minister of Railways	Prof. Madhu Dandavate
The Minister of Commerce and Civil Supplies and Cooperation	Shri Mohan Dharla
The Minister of Communications	Shri George Fernandes
The Minister of Tourism and Civil Aviation	Shri Purushottam Kaushik
The Minister of Health and Family Planning	Shri Raj Narain
The Minister of Finance and Revenue and Banking	Shri H. M. Patel
The Minister of Steel and Mines	Shri Biju Patnaik
The Minister of Energy	Shri P. Ramachandran
The Minister of External Affairs	Shri Atal Bihari Vajpayee
The Minister of Parliamentary Affairs and Labour	Shri Ravindra Varma
The Minister of Industry	Shri Brijlal Verma

LOK SABHA DEBATES

Vol I

First Day of the First Session of the Sixth Lok Sabha

No 1

LOK SABHA

Friday March 25 1977/Chaitra 4 1899
(Saka)

The Lok Sabha met at Eleven of the
Clock

[THE SPEAKER pro tem (SHRI D N
TIWARI) in the Chair]

अध्यक्ष महोदय सर्वप्रथम मैं लोक सभा के नव निर्वाचित सदस्यों का स्वागत करता हूँ। आज हम एक पुनीत अवसर पर एकत्रित हुए हैं। सविधान के अन्तर्गत नई लोक सभा निर्वाचित हुई है, जिसके ऊपर देश और जनता का न मान का भारी उत्तरदायित्व है।

महोदय जी और ठीक ही है कि अपनी कार्यवाही आरम्भ करने से पहले हम सब, जैसी कि ऐसे अवसर पर परम्परा रही है, थोड़ी देर तक मौन रहे रहें।

The Members then stood in silence
for a short while.

11 03 hrs.

LIST OF MEMBERS ELECTED TO LOK SABHA

Laid on the Table

SECRETARY GENERAL Sir, I lay
on the Table a Book presented to the
Speaker by the Chief Election Com-
missioner, containing the list of Mem-
bers elected to the Lok Sabha at the
General Election of 1977

11 04 hrs

PANEL OF CHAIRMEN

अध्यक्ष महोदय मुझे लोक सभा को यह सूचना देनी है कि प्रविष्टा नियमा के नियम 9 के अन्तर्गत मैंने निम्नलिखित सदस्यों को सभापति तालिका का सदस्य मनोनीत किया है —

- (1) श्री दिग्विजय नारायण सिंह
- (2) श्री त्रिदिब चौधरी, भीर
- (3) श्री कोता रघुरामैया

11-05 hrs

MEMBERS SWORN

अध्यक्ष महोदय जिन सदस्यों को शपथ लेनी है या प्रतिज्ञान करना है उनके नाम अब महासचिव द्वारा एक-एक करके पुकारे जायेंगे। पहला प्रधान मंत्री जी को बुलाया जायेगा। तत्पश्चात् विरोधी दल के नेता को बुलाया जायेगा। उस के बाद सभापति तालिका के सदस्यों के नाम पुकारे जायेंगे। फिर अन्य सदस्यों के नाम राज्यवार पुकारे जायेंगे। जो सदस्य पहली बार पुकारे जाने पर शपथ न ल सकेंगे या प्रतिज्ञान न कर सकेंगे, उन्हें अन्त में फिर बुलाया जायेगा।

Shri Morarji Ranchhodji Desai
(Surat)

Shri Yashwantrao Balvantrao Chavan.
(Satara)

Shri Kotha Raghuramaiah
(Guntur)

Shri Rajagopala Rao Bodepalli
(Srikakulam)

Shri Vyricherla Kishore Chandra
Suryanarayana Deo (Parvathi-
puram)

Shri Pusapati Viparama Gajapathi
Raju (Bobbili)

Shri Dronamraju Satyanarayana (Vi-
sakhapatnam)

Shrimati Radhabai Anarda Rao (Bha-
drachalam)

Shri S. R. A. S. Appalanaidu (Anika-
palli)

Shri M. S. Sanjeevitao (Kakinada)

Shri S. B. P. Pattabhi Ramarao (Ra-
jahmundry)

Shri Kusuma Krishnamurthy (Amala-
puram)

Shri Alluri Subhash Chandra Bose (Na-
rasapur)

Shri Kommareddy Suryanarayana (El-
uru)

Shri Maganti Ankineedu (Machilipat-
nam)

Shri Godey Murabari (Vijayawada)

Shri Nagewara Rao Meduri (Tenali)

Shri Pamulapati Ankineedu Prasada-
rao (Bapatla)

Shri Brahmananda Reddy Kasu (Nara-
saraopet)

Shri Puli Venkata Reddy (Ongole)

Shri Doddavarapu Kamakshiah (Nel-
lore)

Shri Pothuraju Parthasarathi (Rajam-
pet)

Shri Kandula Obul Reddy (Cuddapah)

Shri P. Bayapa Reddy (Hindupur)

Shri Darur Pullaiah (Arantapur)

Shri K. Vijaya Bhaskara Reddy (Kuz-
nool)

Shri Neelam Sanjiva Reddy (Nandyal)

Shri Mallala Bheshama Dev (Nagar-
kurnool)

Shri J. Rameshwara Rao (Mahbubna-
gar)

Shri K. S. Narayana (Hyderabad)

Shri M. M. Hashim (Secunderabad)

Shri G. Venkataswamy (Siddipet)

Shri Mallikarjun (Medak)

Shri Muduganti Ram Gopal Reddy
(Nizamabad)

Shri G. Narsimha Reddy (Adilabad)

Shri V. Tulsiram (Peddapalli)

Shri M. Satyanarayan Rao (Karimna-
gar)

Shri P. V. Narasimha Rao (Hanam-
konda)

Shri S. B. Giri (Warangal)

Shri Jalagam Kondala Rao (Kham-
mam)

Shri Abdul Lateef (Nalgonda)

Shri P. Rajagopal Naidu (Chittoor)

Shri G. S. Reddy (Nuryalguda)

Shri Tindib Chaudhari (Berhampore)

Shri Digvijoy Narain Singh (Vaishali)

Shri Nihar Ranjan Laskar (Farim-
ganj)

Shrimati Rashida Haque Choudhury
(Silchar)

Shri Birendra Singh Engli (Autonomous
District)

Shri Ahmmad Hossein (Dhubri)

Shri Ismail Hossain Khan (Barpeta)

Shrimati Renuka Devi Barkataki (Jau-
hati)

Shri Hiralal Patowary (Margaldoi)

Shri Purnanarayan Sinha (Tezpur)

Shri Dev Kanta Borooah (Nowgong)

Shri Bedabrata Barua (Kaliabor)

Shri Tarun Gogoi (Jorhat)

Shri Haren Bhomi (Dibrugarh)

Shri Lalit Kumar Doley (Lakhimpur)

Shri Jagannath Prasad Swatantra (Bagaha)
 Shri Halim Uddin Ahmad (Kishanganj)
 Shri Fazlur Rehman (Bettiah)
 Shri Mirtanjay Prasad Verma (Siwan)
 Shri Ram Vilas Paswan (Hajipur)
 Shri Lalu Prasad (Chapra)
 Shri George Fernandes (Muzaffarpur)
 Shri Shyam Sunder Das (Silamari)
 Shri Hukmdeo Narain Yadav (Manuhani)
 Shri Dhanik Lal Mandal (Jharkhand)
 Shri Ram Sewak Hazari (Roseri)
 Shri Karpoo Thakur (Samastipur)
 Shri Ramjiwan Singh (Ballia)
 Shri Vinayak Prasad Yadav (Sahasra)
 Shri Mahendra Narayan Sardar (Ara)
 Shri Lakhan Lal Kapoor (Purnea)
 Father Anthoni Murmu (Rajmahal)
 Shri Yuvraj (Katihar)
 Shri Bateshwar Hemram (Dumka)
 Shri Jagdambí Prasad Yadav (Godda)
 Shri Madhu Lamaye (Banka)
 Dr Ramji Singh (Bhagalpur)
 Shri Gyaneshwar Prasad Yadav (Khatgaria)
 Shri Shrikrishna Singh (Monghyr)
 Shri Shyam Nandan Mishra (Begusarai)
 Shri Birendra Prasad (Nalanda)

12.00 hrs

Shri Mahamaya Prasad Sinha (Patna)
 Shri Chandradeo Prasad Verma (Arrah)

Shri Rama Nand Tiwary (Buxar)
 Shri Jagjivan Ram (Sasaram)
 Shri Ram Awadhesh Singh (Bikramganj)
 Shri Satyendra Narain Singh (Aurangabad)
 Shri Hari Lal Prasad Singh (Jehanabad)
 Shri Nathuni Ram (Nawada)
 Shri Ishwar Choudhary (Gaya)
 Shri Rit Lal Prasad Verma (Kodarma)
 Shri Sukdeo Prasad Verma (Chahta)
 Shri Ramdas Singh (Giridih)
 Shri A K Roy (Dhanbad)
 Shri Kunwar Basant Narain Singh (Hazaribagh)
 Shri Ravindra Verma (Ranchi)
 Shri Rudra Pratap Sarangi (Jamshedpur)
 Shri Bagun Sumbrui (Singbhum)
 Shri Karia Munda (Khunti)
 Shri Lalu Oraon (Lohardaga)
 Shri Ramdeni Ram (Palamou)
 Shri Anantray Devshankar Dave (Kutch)
 Shri Ramdas Kishordas Amin (Surendranagar)
 Shri Nathwani Narendra Pragji (Junagadh)
 Shri Dwarkadas Mohanlal Patel (Amreli)
 Shri Natavarlal Bhagvandas Parmar (Dhandhuka)
 Shri Ahasan Jafri (Ahmedabad)
 Shri Purushottam Ganesh Mavalankar (Gandhinagar)
 Kumari Maniben Vallabhbhai Patel (Mehsana)
 Shri Khemchandbhai Somabhai Chavda (Patn)

Shri H. M. Patel (Sabarcantha)
 Shri Shankarji Laxmanji Vaghela (Kadavanji)
 Shri S. Nijalhai Punjalhai Damer (Dohad)
 Shri Harendrabhai Kanayalal Desai (Godhra)
 Shri D. Ramsinh Dadubhai Desai Kural
 Shri Ajaysinh Fulsinhji Dabhi (Anand)
 Shri Anjansinh Virjibhai Rathawa (Chhota Udaipur)
 Shri Fatesinhrao Pratapsinhrao Gikwad (Baroda)
 Shri Ahmedbhai Mohamadbhai Patel (Broach)
 Shri Chhitubhai Desjibhai Gamit (Mandvi)
 Shri Prasannavadan Manilji Mehta (Bhavnagar)
 Shri Suraj Bhan (Ambala)
 Shri Sher Singh (Rohtak)
 Shri Dharma Vir Vasisht (Faridabad)
 Shri Manohar Lal (Mahendragarh)
 Shri Bhagwat Dayal (Karnal)
 Shri Mukhlil Singh (Sonapat)
 Shrimati Chandravati (Bhrawani)
 Shri Inder Singh (Hisar)
 Shri Chand Ram (Sirsa)
 Shri Balak Ram (Simla)
 Shri Durga Chand (Kangra)
 Shri Ranjit Singh (Harnapur)
 Shri Abdul Ahad (Baranulla)
 Shrimati Akbar Jehan Begum (Srinagar)
 Shri Mohd. Shafi Qureshi (Azamgarh)
 Dr. Karam Singh (Ujainpur)
 Shri Baldev Singh (Jammu)
 Shri Sidram Reddy (Gulbarga)

Shri Rajshankar Mallappa (Raichur)
 Shri Kodajji Basappa (Davangere)
 Shri K. S. Veeraswamy (Belary)
 Shri K. Lakkappa (Tumkur)
 Shri M. V. Krishnappa (Chitaldurg)
 Shri K. Mallanna (Chitradurga)
 Shri M. V. Chinniah Chikharu Murthy (Kannur)

19 hrs

(Shri TRIDIP CHAUDHURI in the Chair)
 Shri C. K. Jaffar Sharief (Bangalore North)
 Shri K. S. Hegde (Bangalore South)
 Shri A. Chikkalingaiah (Mandya)
 Shri D. Rachiah (Channarayana)
 Shri H. D. Tulsidas (Mysore)
 Shri Janardhana Pongar (Mangalore)
 Shri T. A. Pai (Udupi)
 Shri S. Nanjeshagowda (Hassan)
 Shri D. B. Chandra Gowda (Chikmagalur)
 Shri A. R. Srinivasan (Shimoga)
 Shri Balsa Pursu Kadam (Kannur)
 Shri F. H. Mohan (Dharwar South)
 Shrimati Sarojini Bhatnagar (Machilish, Dharwar North)
 Shri Appayappa Paraveerappa (Kotreshetti, Belgaum)
 Shri B. Shankaranand (Chikkodi)
 Shri Sanganouda Bhatnagar Patil (Bagalkot)
 Shri Choudhary Kalingappa Eimanna (Bijapur)
 Shri Ramachandran Kadanrappalli (Kasaragod)
 Shri C. K. Chandrapan (Cannanore)
 Dr. V. A. Seyid Mohammed (Calicut)

Shri G M Banatvala (Ponnani)
 Shri A Sunna Sahib (Palghat)
 Shri K. Kunhambu (Ottapalam)
 Shri K A Rajan (Trichur)
 Shri A C George Mutunlapuram)
 Dr Henry Austin (Ernakulam)
 Shri Skariah Thomas (Idiyanthi)
 Shri C M Stephen Idukki)
 Shri V M Sudheeran (Alappay)
 Shri B K Nair (Mavelikara)
 Shri P K Kadiyan (Adoor)
 Shri Vayalar Ravi (Chirayinkeezh)

MR CHAIRMAN We may now adjourn for lunch and continue with the oath-taking after lunch. I will request hon. Members who have already taken the oath to kindly make it convenient to be present when our other friends take oath.

The House now stands adjourned till 2 pm

12.37 hrs.

The Lok Sabha adjourned for Lunch till Fourteen of the Clock

The Lok Sabha re-assembled after Lunch at Fourteen of the Clock

[Shri D N Tripathi in the Chair]

MEMBERS SWORN—continued

Shri K P Unnikrishnan (Balegaur)
 Shri Chhabiram Arora (Meerut)
 Shri Raghunath Singh Mathur (Bhind)
 Shri Narayan Prasad Chaudhary (Gwalior)
 Shri Madhav Rao Scindia (Gwalior)
 Shri Sukhendra Singh (Satna)

Shri Yamuna Prasad (Rewa)
 Shri Surya Varan Singh (Siahi)
 Shri Dalpat Singh Paraste (Shahdol)
 Shri Larang Sai (Sirsa)
 Shri Narhari Prasad Sukhdeo Sai (Raigarh)
 Shri Brijlal Verma (Mahasamund)
 Shri Purushottam Lal Kaushik (Raigarh)
 Shri Mohan Bhanu (Durg)
 Shri Madan Tiwary (Rajnandgaon)
 Shri Nirmal Chandra Jain (Seoni)
 Shri Shyam Lal Dhurve (Mandla)
 Shri Shriharad Prasad (Jabalpur)
 Shri Laxmi Narayan Nayak (Khajuraho)
 Shri Gargishwar Prasad Ram Krishna Mishra (Chhatisgarh)
 Shri Subhash Chandra Ahuja (Betul)
 Shri Kamath Hari Vishnu (Hoshangabad)
 Shri Arif Beg (Bhopal)
 Shri Raghavji (Vidhar)
 Dr Pandit Vasunt Kumar Bankwaha (Rajgarh)
 Shri Fulchand Lalwani (Jhansi)
 Shri Parmanand Tripathi (Gorakhpur)
 Shri Rameshwar Patidar (Kharagpur)
 Shri Kalyan Jani (Indore)
 Shri Bharat Singh Gahlot (Dhar)
 Shri Bhagwanth Bhanuwar (Jhabua)
 Dr Laxminarayana Prasad (Mandla)
 Shri Kachar Lal Heeraj (Bilaspur)
 Prof. Madhu Dasgupta (Calcutta)
 Shri Parulekar Bhanuwar (Raigarh)
 Shri Dinkar Bhat (Kolaba)
 Shri Kamal Bhausaheb Chaudhary (Bombay South Central)

Shrimati Abilya P. Rangnekar (Bombay North Central)

Dr. Subramaniam Swamy (Bombay North East)

Shri Ram Jethmalani (Bombay North West)

Shrimati Arinal Keshav Gore (Bombay North)

Shri Lahanu Shidava Kom (Dhannu)

Shri Vithalrao Ganpatrao Hande (Nasik)

Shri Hari Shankar Mahale (Malegaon)

Shri Vijay Kumar Naval Patil (Dhulla)

Shri Ramchandra Kashinath Thalgai (Thana)

Shri Surupsing Hirya Vark (Nandurbar)
Shri Sonusing Dhansing Patil (Erandol)

Shri Yashwant Mansaram Borole (Jalgaon)

Shri Daulat Gunaaji Gawai (Buldhara)

Shri Vasantrao Purushottam Sathe (Akola)

Shri Nana Mahadeo Bonde (Amravati)

Shri Jitramji Chaitramji Barya (Ramtek)

Shri Awari Gey Mancharsha (Nagpur)

Shri Mankar Laxmanrao Bisani (Bhandara)

Shri Krishnarao Dagoji Thakur (Chimur)

Shri Vishveshwarrao Raje (Chandrapur)

Shri Santoshrao Vyankatrao Gode (Wardha)

Shri Shridharrao Nattibhoaji Jawade (Yavatmal)

Shri Chandrakant Ramkrishna Patil (Hingoli)

Shri Rajda Ratansinh Gokuldas (Bombay South)

Shri Sheshrao Apparao Deshmukh (Parbhani)

Shri Pundlik Hari Danve (Jalna)

Doctor Bapu Kaldote (Aurangabad)

Shri Gangadhar Appa Burande (Bhir)

Shri Udhavrao Sahebrao Patil (Latur)

Shri Surajratan Fatechand Damani (Sholapur)

Shri Sandipan Bhagwan Thorat (Pandharpur)

Shri Annasaheb Pandurang Shinde (Ahmednagar)

Shri Eknathrao Vithalrao Vikhe (Kopergaon)

Shri Annasaheb Magar (Khed)

Shri Mohan Dharis (Poona)

Shri Sambhajirao Kakade (Baramati)

Shri Ganapatrao Tukaram Gotkhunde (Sangli)

Shri Rajaram Mane alias Balasaheb Shankarrao (Ichalkaranji)

Shri Dajiha Balwantrao Desai (Kolhapur)

Shri N. Tombi Singh (Inner Manipur)

Shri Shaiza Yangmaso (Outer Manipur)

Shri A. Sangma Purna (Tura)

Shri Chandra Mohan Sinha (Mayurbhanj)

Shri Rama Chandra Mallick (Jajpur)

Shri Jena Bairagi (Bhadrak)

Shri Santarendra Kundu (Balasore)

Shri Bijayananda Pattanayak (Kendrapara)

Shri Sarat Kumar Kar (Cuttack)

Shri Kishore Bal Pradyumna (Jagatsinghpur)

Shri Padmacharan Samantasinha (Puri)

Shri Sivaji Patnaik (Bhubaneswar)

14.50 hrs

[SHRI K RAGHU RAMAIAH in the Chair]

Shri Ramachandra Rath (Aska)
 Shri R Jagannath Rao (Berhampur)
 Shri Giridhar Gomango (Koraput)
 Shri Pratap Keshari Deo (Kalahandi)
 Shri Srihatcha Dugal (Phulbani)
 Shri Ainthu Sahoo (Bolangir)
 Shri Gananath Pradhan (Sambalpur)
 Shri Pabitra Mohan Pradhan (Deogarh)
 Shri Debendra Satpathy (Dhenkanal)
 Shri Dehananda Ama (Sundargarh)
 Shri Govinda Munda (Keonjhar)
 Dr Baldev Parkash (Amritsar)
 Shri Yagya Datt (Gurdaspur)
 Shri Mohan Singh Tur (Tarn Taran)

15.00 hrs.

Shri Iqbal Singh Dhillon (Jullundur)
 Shri Bhagat Ram (Phullaur)
 Shri Balbir Singh (Hoshiarpur)
 Shri Basant Singh (Ropar)
 Shri Gurcharan Singh Thora (Patiala)
 Shri Jagdev Singh Talwandi (Ludhiana)
 Shri Surjit Singh (Sangrur)
 Shri Dhanna Singh (Bhatinda)
 Shri Parkash Singh (Faridkot)
 Shri Bega Ram (Ganganagar)
 Shri Hari Ram Mukkasar (Bikaner)
 Shri Kanhaiya Lal (Jhunjhunu)
 Shri Jagdish Prasad Mathur (Sikar)

Shri Satish Chander (Jaipur)
 Shri Ramjilal Yadav (Alwar)
 Shri Ram Kishan (Bharatpur)
 Shri Srikeran Sharda (Ajmer)
 Shri Ram Kanwar (Tonk)
 Shri Krishna Kumar Goyal (Kota)
 Shri Chaturbhuj (Jhalawar)
 Shri Heera Bhai (Banswara)
 Shri Lahiya (Salumber)
 Shri Shyam Sunder (Chittorgarh)
 Shri Amrit Nahata (Pali)
 Shri Tansingh (Barmer)
 Shri Ranchhordas Gattani (Jodhpur)
 Shri Chhatra Bahadur Chhetri (Sikkim)
 Shri A V P Asai Thambu (Madras North)
 Shri P Ramachandran (Madras Central)
 Shri R Venkataraman (Madras South)
 Shri S Jaganathan (Sriperumbudur)
 Shri R Mohanaragam (Chengalpattu)
 Shri O V. Alagesan (Arkonam)
 Shri Venugopal Gounder (Wandiwash)
 Shri C. N Visvanathan (Tiruppattur)
 Shri M R Lakshminarayanan (Tindivanam)
 Shri G Bhuvarahan (Cuddalore)
 Shri A. Murugesan (Chidambaram)
 Shri K Ramamurthy (Dharmapuri)
 Shri P V Periasamy (Krishnagiri)
 Shri P Kannan (Salem)
 Shri B Devarajan (Rasipuram)

15.25 hrs.

[THE SPEAKER pro tem (SHRI D N TIWARI) in the Chair]

Shri R Kolanthaswamy (Tiruchengode)

Shri P S Ramalingam (Naligids)

Shri K S Ramaswamy (Gobichettipalayam)

Shri K A Raju (Pollachi)

Shri C Subramaniam (Palani)

Shri K Maya Thevar (Dindigul)

Shri R V Swaminathan (Madurai)

Shri S Ramasamy (Periyalulam)

Shri K Gopal (Karur)

Shri M Kalvanasundaram (Tiruchirappalli)

Shri J Arunkumar (Perambalur)

Shri S D Somasundaram (Thanjavur)

Shri S G Murugan (Vagamon)

Shri V S Flanhezilam (Pudukkottai)

Shri P Thiagarajan (Sivaganga)

Shri P Anbalagan (Ramanathapuram)

Shrimati V Jesalakshmi (Sivakasi)

Shri V Arunachalam (Tirunelveli)

Shri M Arunachalam (Tenkasi)

Shri K T Kosalram (Tiruchendur)

Kumari Ananthan (Nagercoil)

Dr Murlu Manohar Joshi (Almora)

Shri Mahi Lal (Bijnor)

Shri Trepan Singh Negi (Tehri Garhwal)

Shri Gulam Mohd Khan (Moradabad)

Shri Rajendra Kumar Sharma (Rampur)

Shri Onkar Singh (Budaun)

Shri Rishi Raj Singh (Aonla)

Shri Ram Murli (Barilly)

Shri Surentra Vikram (Shahjahanpur)

Shri Mohd Shamsul Haasan Khan (Pilibhit)

Shri Raghavendra Singh (Unnao)

Shri Roop Nath Singh Yadava (Pratapgarh)

Shri Ravindra Pratap Singh (Amethi)

Shri Hargovind Verma (Sitapur)

Shri Zulfikar Ullah (Sultanpur)

Shri Mangal Deo Vohra (Akbarpur)

Shri Rupa Sen (Kailashpur)

Shri Anand Ram Jaiswal (Farrukhabad)

Shri Ganga Rishi Singh (Shahabad)

Shri Om Prakash Tyagi (Rahatgarh)

Shri Sheo Narain (Basti)

Shri Salva Deo Singh (Gonda)

Shri Brij Bhushan Tiwari (Khalilabad)

Shri Harikesh Bahadur (Gorakhpur)

Shri Shishu Lal Sakwani (Maharaganj)

Shri Ram Dhari Shastri (Padrauna)

Shri Ugrasen (Deoria)

Shri Ram Nareish Kushwaha (Salempur)

Shri Ram Nareish (Azamgarh)

Shri Shiv Ram (Ghosi)

Shri Raj Keshar Singh (Machhlishahr)

Shri Yashendra Dutta Dubey (Jaunpur)

Shri Ram Sagar (Saidpur)

Shri Gauri Shankar Rai (Ghazipur)

Shri Narsingh (Chandauli)

Shri Raj Narain (Rae Bareilly)

Shri Parmal Lal (Hardoi)

Shri Jagannath Sharma (Garhwal)
 Shri Ram Kinkar (Bara Banki)
 Shri Chandra Shekhar (Balha)
 Shri Faqir Ali (Mirzapur)
 Shri Bashir Ahmad (Fa'ehpur)
 Shri Janeswar Misra (Allahabad)
 Shri Ambika Prasad (Banda)
 Shri Tej Pratap Singh (Hamirpur)
 Shri Ram Gopal Singh (Bilhaur)
 Shri Jwala Prasad Kurcel (Ghatampur)
 Shri Ram Charan (Jalaun)
 Dr Sushila Naiyar (Jhansi)

16 00 hrs

Shri Manohar Lal (Kanpur)
 Shri Ram Prakash Tripathi (Konnaui)
 Shri Raghunath Singh Verma (Mainpuri)
 Shri Mahadeepak Singh (Etah)
 Shri Dayaram Shakya (Farrukhabad)
 Shri Multan Singh Chaudhary (Jalasar)
 Shri Ramji Lal Suman (Firozabad)
 Shri Nawab Singh Chauhan (Aligarh)
 Shri Shambhu Nath Chaturvedi (Agra)
 Shri Ram Prasad Deshmukh (Mathras)
 Shri Mohan Lal (Khurja)
 Shri Mahmood Hasan Akbar (Dehli-shahr)
 Shri Bharat Bhushan (Naini Tal)
 Shri Maniram Bagri (Mathura)
 Shri Bhagwan Das (Haridwar)
 Shri Rasheed Masood (Saharanpur)
 Kunwar Mahmood Ali Khan (Bhopur)
 Shri Karish Prakash (Meerut)
 Shri Saeed Mu'taza (Fatehpur)

Shri Chandan Singh (Kairana)
 Shri Amarendranath Roy Pradhan (Cooch Behar)
 Shri Krishna Bahadur Chettri (Darjeeling)
 Shri Pius Tirkey (Alipurduars)
 Shri Dinesh Chandra Joardar (Malda)
 Shri Md Hayat Ali (Raiganj)

16 11 hrs

[SHRI TRIDIB CHAUDHURI in the Chair]

Shri Syed Kazim Ali Meerza (Murshidabad)
 Shri Khagendra Nath Dasgupta (Jalpaiguri)
 Shri Sakti Kumar Sarkar (Joynagar)
 Shri Sasankasekhar Sanjay (Jargipur)
 Shri Alhaj M A Hannan (Basrhat)
 Shri Chitta Basu (Barasat)
 Shri Renupada Das (Krishnagar)
 Shrimati Bibba Ghosh Goswami (Nabadwip)
 Shri Mukunda Kumar Mondol (Mathurapur)
 Shri Jyotirmoy Bosu (Diamond Harbour)
 Shri Somnath Chatterjee (Jadavpur)
 Shri Palas Barman (Burlughat)
 Shri Asoke Krishna Datta (Dim Dum)
 Shri Sougata Roy (Barrackpore)
 Shri Eljoy Singh Nahar (Calcutta North West)
 Dr Protap Chandra Chatterjee (Calcutta North East)
 Prof Dilip Chakravarty (Calcutta South)
 Shri Samar Mukherjee (Howrah)
 Shri Shyamprasad Bhattacharyya (Uluberia)

Shri Dinen Dhattacharya (Serampore)
 Shri Dijoy Krishna Modak (Hooghly)
 Shri Prafulla Chandra Sen (Aram-
 bagh)
 Shrimati Abha Maiti (Panskura)
 Shri Sushil Kumar Dhara (Tamluk)
 Shri Sudhir Kumar Ghosal (Midna-
 pore)
 Shri Chitta Ranjan Mahata (Purulia)
 Shri Bijay Mondal (Bunkura)
 Shri Ajit Kumar Saha (Vishnupur)
 Shri Krishna Chandra Halder (Darga-
 pur)
 Shri Jadunath Kisku (Jhargram)
 Shri Robin Sen (Asansol)
 Shri Raj Krishna Dawn (Burdwan)
 Shri Dharendra Nath Bagu (Kotwa)
 Shri Manoranjan Bhakta (Andaman &
 Nicobar Islands)
 Shri Rinchino Khanda Khrime (Aruna-
 chal West)
 Shri Dakin Pertin (Arunachal East)
 Shri Krishan Kant (Chandigarh)
 Shri Vijay Kumar Malhotra (South
 Delhi)
 Shri Atal Bihari Vajpayee (New Delhi)
 Shri Kishore Lal (East Delhi)
 Shri Sikander Bakht (Chandni
 Chowk)
 Shri Kanwar Lal Gupta (Delhi Sadar)
 Shri Shiv Varain Sarsonia (Karol Bagh)
 Shri Kasar Amrut Shivram (Panaji)
 Shri Faleiro Eduardo Martinho (Mor-
 mugao)
 Shri Muhammed Sayeed Padannatha
 (Lakshadweep)
 Dr R. Rothurama (Mozoram)
 Shri Aravinda Bala Pajanor (Pondi-
 cherry)

Shri Tambura Balakrishnaiah (Tiru-
 pathi)
 Shri Itamdeo Singh (M'haraiganj)
 Shri Thakur Ramapati Singh (Moti-
 hari)
 Shri Fazlur Rehman (Dettiah)
 Shri Surendra Jha Suman (Dar-
 bhanga)
 Shri Ninubhai Nichhatba Patel (Dul-
 sar)
 Shri Raghubir Singh (Kurukshetra)
 Shri Shankardev Dalaji Rao (Bidar)
 Shri G Y Krishnan (Kolar)
 Shri Hukamchand Kachhwal (Ujjain)
 Shri Narmada Prasad Raj (Sagar)
 Shri Digpalshah Keerishah (Bilaspur)
 Shri Aghansingh Dhawan Singh (Kanker)
 Shrimati Premalabai Dajisaheb Chavan
 (Karad)
 1630 hrs
 [THE SPEAKER pro tem (SHRI D N
 TRIVARTY) in the Chair]
 Shri Hukam Ram (Jalore)
 Shri Bhanu Kumar Shastri (Udaipur)
 Shri Meetha Lal (Sawal Madhopur)
 Shri Nathu Singh (Dausi)
 Shri Shyam Sunder Lal (Bayana)
 Shri Nathuram (Nagaur)
 Shrimati Rino M Shalva (Nagaland)
 Shrimati Parvathi Krishnan (Coimba-
 tore)
 Shri V Dhandayuthapani (Vellore)
 Shri N Kudantha Ramalingam
 (Mayuram)
 Shri Sachindralal Singha (Tripura
 West)
 Shri Nanaji Deshmukh (Bairampur)
 Shri Ram Dhan (Lalganj)
 Shri Chandra Shekhar (Ballia)
 Shri Ram Lal Kureel (Mohaniganj)

अध्यक्ष महोदय . सभी सदस्यों के नाम पुकारे जा चुके हैं । यदि अब भी कुछ माननीय सदस्य ऐसे हैं जिन्होंने शपथ नहीं ली है और यहाँ उपस्थित हैं तो वे अब शपथ ले सकते हैं ।

अब ऐसा कोई सदस्य नहीं रहा है जो उपस्थित हो और जिसने शपथ ग्रहण न की हो ।

सभा कल 26 मार्च, 1977 के मध्याह्न पूर्व ग्यारह बजे तक के लिए स्थगित होती है ।

17 00 hrs

The Lok Sabha then adjourned till Eleven of the Clock on Saturday March 26, 1977/Chaitra 5, 1899 (Saka)

CONTENTS

No. 2—Saturday, March 26, 1977 [Chaitra 5, 1899 (Saka)]

	COLUMN
Members Sworn	I
Election of the Speaker	1—3
Felicitations to the Speaker	3—14
Shri Morarji Desai	3—4
Shri Yashvantrao Chavan	4—5
Shri Jagjivan Ram	5—6
Shri P.K. Deo	6
Shri George J. Mathew	7
Shri Samar Mukherjee	8
Shri P.G. Mavalankar	8—9
Shrimati Parvathi Krishnan	9—10
Shri Aravinda Bala Pajjanor	10—11
Shri Laxmi Narain Nayak	11—12
Shri A.V.P. Asaithambi	12
Mr. Speaker	12—14
Introduction of Ministers	14—15
Obituary Reference	15—26
<i>(Death of Shri Fakhruddin Ali Ahmed, President of India)</i>	
Shri Morarji Desai	15—16
Shri Yashvantrao Chavan	16—17
Shri Jagjivan Ram	17—18

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	COLUMN
Members Sworn	1
Election of the Speaker	1—3
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Shri Morarji Desai	3—4
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Shri Yashvantrao Chavan	16—17
Shri Jagjivan Ram	17—18

LOK SABHA DEBATES

1

LOK SABHA

Saturday, March 26 1977/Chaitra 5,
1099 (Saka)

*The Lok Sabha met at Eleven of the
Clock*

[THE SPEAKER pro tem (SHRI D N
Tiwari in the Chair)]

सध्यक्ष महोदय अब जिन सदस्यों
के नाम पुकारे जायेंगे वे शपथ लेंगे या
प्रतिज्ञान करेंगे।

MEMBERS SWORN

Shri Charan Narzary (Kokrajhar)

Shri George J Mathew (Muvattu
puzha)

Shri Madan Bhalya (Janjgir)

Shri Govinda Ram Miri Wakil (Saran
garh)

Shri Keshavrao Shankarrao Dhondge
(Nanded)

Shri Khagapati Pradhani (Nowrang
pur)

Shri Kirit Bikram Kishore Deb Barma
(Tripura East)

Shri Chandra Pal Singh (Amroha)

Shrimati Shanti Devi (Samtrel)

Shri Phurangi Prasad (Bansgaon)

Shri Shoo Sampat (Robertsganj)

Shri Samar Guha (Contal)

Shri Brahm Perkash (Outer Delhi)

11 15 hrs.

ELECTION OF SPEAKER

सध्यक्ष महोदय : अब श्री मोरारजी
देसाई अपना प्रस्ताव पेश करेंगे।

2

THE PRIME MINISTER (SHRI
MORARJI DESAI) Sir I beg to move

That Shri N Sanjiva Reddy, a
Member of this House be chosen as
the Speaker of this House

सध्यक्ष महोदय श्री यशवंतराव
चव्हाण इस प्रस्ताव का अनुमोदन करेंगे।

SHRI YASHVANTRAO CHAVAN
(Satara) Sir, I rise to support the
proposal made by the Prime Minister
that Shri N Sanjiva Reddy be chosen as
the Speaker of this House

सध्यक्ष महोदय प्रस्ताव प्रस्तुत हुआ :

‘कि श्री एन० सजीव रेड्डी को,
जो इस सभा के सदस्य हैं, इस सभा
का अध्यक्ष चुना जाये।’

इस विषय पर धीरे भी प्रस्ताव है, लेकिन
मैं समझता हूँ कि अब उन की जरूरत नहीं है।

SHRI KANWAR LAL GUPTA
(Delhi Sadar) They are on the agenda
Those Members should be asked to
move their motions

सध्यक्ष महोदय अब मैं इस प्रस्ताव को
भाष के मत के लिए रखता हूँ।

अब यह है :

‘कि श्री एन० सजीव रेड्डी को, का
इस सभा के सदस्य हैं, इस सभा का
अध्यक्ष चुना जाये।’

इस प्रस्ताव के पक्ष में बहुत अधिक
बहुमत है। मैं घोषणा करता हूँ कि श्री एन०
सजीव रेड्डी विधिवत् इस सभा के अध्यक्ष
निर्वाचित हुए हैं।

The motion was adopted

अध्यक्ष महोदय अब मैं बटे हूँ के
साथ श्री एन० सजीव रेड्डी को अध्यक्ष पद
पर आसीन हान व निष्प्रामाण्य करता हूँ ।

आप सब लोग जानते हैं कि श्री एन०
सजीव रेड्डी इस सदन के लिये नये आदमी
नहीं हैं । वे 1967 के बाद इस सभा में अध्यक्ष
रहे हैं और बड़ी योग्यता से उन्होंने कार्य
निभाया है । मैं आशा करता हूँ कि भगवान
उनको शक्ति दे कि वे निष्पक्ष रूप से इस सभा
का काम निभा सकें ।

(Shri N. Sanjiva Reddy was conducted
to the Chair by the Prime Minister and
Shri Yashwantrao Chavan)

[MR. SPEAKER (SHRI N. SANJIVA REDDY)
in the Chair]

11.18 hrs.

FELICITATIONS TO THE SPEAKER

THE PRIME MINISTER (SHRI MORARJI DESAI) Mr Speaker Sir I deem it our good fortune that this august House has elected Shri N. Sanjiva Reddy as its Speaker

Shri Reddy occupies an eminent place in national life by dint of his contribution to the freedom movement and his distinguished and varied services over the years. Besides his reputation as administrator, he is a veteran Parliamentarian. His Speakership of the Fourth Lok Sabha is remembered for the dignity, fairplay and the unflinching good humour which he brought to the discharge of the duties of this high office. By electing him again as Speaker the Sixth Lok Sabha has found the right person for the right place.

The Lok Sabha is the repository of the sovereignty of the people. The Speaker is the custodian of the authority of the Lok Sabha. The people of India have just given expression to their will with fearlessness and

faith and in a manner that the whole world has applauded. Great things are expected from the new Parliament. It has not only to undo the wrong, that had crept into the body politic and governmental functioning but to ensure that the hopes of the millions are fulfilled speedily through wise and practical economic and social policies. It is our good fortune to have a person of Shri Reddy's vast experience and maturity to conduct our deliberations.

The composition and character of the Lok Sabha have undergone a change unimagined until a little while ago. I have always believed that the proper functioning of democracy requires a constructive relationship between the Government and the Opposition. Policies may differ but there should be an unqualified loyalty to the good of the nation and the needs and aspirations of our people. I do hope under the guidance of Shri Sanjiva Reddy who is known for the art of smooth conduct of debate and discussion, this Lok Sabha will prove itself a vigilant watchdog of the rights and freedom of the people.

I offer my own felicitations and those of all sections of the House and the country at large to Shri Sanjiva Reddy.

SHRI YASHWANTRAO CHAVAN (Satara) I rise to join the Prime Minister in congratulating Mr Speaker on his election to this august and high office. Mr Speaker Sir, you are not new to this office. You have held this office with distinction in the stormy years of 1967-68. I am sure your wisdom and your skill will certainly be of immense use to the conduct of business of this hon. House. The purposeful and dignified working of this sovereign body is of supreme importance to Indian democracy and therefore as a Speaker I am sure you have a very important part to play. While I do not want to bring in any controversial issues to begin with, I am sorry the Prime Minister unnecessarily

touched some of the controversial aspects. But, I do not want to make this mistake on this first occasion. I would certainly like to assure you besides congratulating you on my behalf on behalf of every Member on this side that in the interest of Indian Democracy in the interest of policies that the nation has believed in so far and for which we have worked for the last thirty years after independence, we would give you all cooperation. May I again say Very well done before please do better in future.

श्री जगजीवन राम (सासाराम) :

अध्यक्ष महोदय, यह बड़ी प्रसन्नता की बात है कि सदन को आप जैसा अध्यक्ष उपलब्ध हुआ है। जिन लोगों की इस सदन में पहले रहने का सौभाग्य मिला है, उन्होंने देखा है कि जिस खूबी और खूबसूरती के साथ आपने सदन का काम चलाया है। जब कभी किसी सदस्य को आपने समय नहीं भी दिया, तो वह भी इस तरह से किया कि उसको कोई तकलीफ न महसूस हो। जिस किसी सदस्य को आपने चुप भी कराया उसकी आपने हसा कर चुप कराया। ये सब ऐसी खुशियाँ हैं, जो सब व्यक्तियों में नहीं पाई जाती हैं। यह आप की विशेषता है।

इस सदन का स्वरूप बदला है। यह पहला अवसर है कि सदन में एक विपक्षी दल रस्मी तरीके से प्रबल हुआ है। लोकतन्त्र की सफलता के लिए सत्तारूढ़ दल और प्रतिपक्ष का होना बहुत ही आवश्यक है। लेकिन यह भी आवश्यक है कि उन दोनों का लक्ष्य होना चाहिए जनता का कल्याण, देश का उत्थान और देश की शक्तिशाली बनाना। मैं मानता हूँ कि इस कार्य में सत्तारूढ़ दल और प्रतिपक्ष दोनों मिल कर कार्य करेंगे, क्योंकि दोनों का लक्ष्य एक ही है।

यह कहना मुझे अनावश्यक प्रतीत होता है कि आप निपटारा रूप में इस सदन का कार्य चलायेंगे, क्योंकि आपने पहले ही यह सिद्ध कर दिया है कि आप की कार्यवाही से सदन के

सभी दलों को प्रसन्नता और सन्तोष रहा है। मैं एक-दूसरा फिर आपको बधाई देता हूँ।

SHRI P K DEO (rose)

Some hon. Members rose

MR. SPEAKER Will you kindly be seated? Not all of you together. One or the other only I can call not all of you together.

Shri P K Deo

SHRI P K DEO (Kalabandi) I join with my friends in offering our felicitations to you and I congratulate you for having assumed this high office.

You acquitted yourself as a great Speaker and upheld the high traditions of this House with great dignity.

Yesterday we took oath to uphold the Constitution and now you preside over the House whose power as per the amended Constitution has been over emphasized at the cost of the judiciary. The constitutional amendments are not for judicial review. God forbid an irresponsible Parliament may not delete Art 368 which gives the amending power of the Parliament or plant one Juan Carlos as the monarch of this country as in Spain. Even the poor man's access to the High Court under Art 226 has been denied for any other purpose. With this background and with the election results in view you will be guiding the proceedings of this House. After all people are supreme and their voice has to be reflected in this House.

We the Independents, however insignificant we may be in number should be given sufficient time to make our view points heard. I hope you will always hear dispassionate and independent views from the Independent Members as you are insulated against any political pressure. We neither have any personal axe to grind nor have to aspire for the corridors of power.

With these words I pledge my loyal support to you.

[Shri Aravinda Bala Pajanoor]

themselves freely, as each Member represents lakhs of people of the country. Once again, democracy has triumphed in this country. We have great faith in secularism, socialism and democracy. At the same time we have to look to the right of the minorities. On this occasion my leader Mr MGR has categorically expressed the hope that we will function as constructive opposition both inside the House and outside the House maintaining the decency and decorum of the House.

On behalf of our party I congratulate you and I offer my felicitations to you and I assure you that we will function as a dignified and dutiful opposition party offering our constructive criticisms. I am sure, Sir, that you will guide the House by your varied experience. My party has lot of new faces and I am seeing many new faces here also. I am sure you will conduct the deliberations of the House with your wise guidance and without any partiality and make Parliamentary democracy a success in this country.

श्री सखी नारायण नायक (खजुराहो) : माननीय अध्यक्ष महोदय, आज आप के अध्यक्षीय पद पर निर्वाचित होने के लिये आप को हार्दिक बधाई देता हूँ। सारे भारत की निगाहें आज इस सदन की ओर खींची हुई हैं। आप के अध्यक्षीय पद पर प्राप्ति रहते हुए इस सदन में जो निर्णय लिये जायेंगे, वे इस बात का सुनिश्चित हैं कि आपकी हमारे देश की जनता लगावे हुए हैं, जिन्होंने द्वारा हमारे देश की गरीबी, भूख-प्या और बेकारी दूर हो सके। हम यहाँ पर ऐसे प्रस्ताव रखें जिनसे हमारे देश की इन समस्याओं का समाधान हो सके। जिस तरह से के बाद हमारे देश की जनता में

एक उबरदस्त उत्साह पैदा हुआ था, एक माहावली थी, उसी तरह से हम इस नई लोकसभा के द्वारा ऐसे काम करें जिससे सारे देश में एक उत्साह पैदा हो।

मैं, अध्यक्ष महोदय, आप के माध्यम से यह भी कहना चाहता हूँ कि हम जितने भी नये निर्वाचित सदस्य यहाँ पाये हैं, सभी मिल कर आप की सहायता करते हुए इस सदन की गरिमा को बढ़ाने का प्रयास करें।

इन शब्दों के साथ मैं बार बार आप की बधाई देता हूँ।

*SHRI A. V. P. ASAITHAMBI (Madras North) Mr Speaker, Sir, on behalf of the Dravida Munnetra Kazhagam, it is not only a great privilege but also an honour to me to extend my hearty felicitations to you on your assumption of the august office of Speaker of Lok Sabha.

I would like to take this opportunity to mention that, had the Dravida Munnetra Kazhagam supported you when you contested the presidential election, the history of India would have taken a different turn. The nineteen months of incarceration of the Opposition Parties and the indignities that the country had been put to could have been averted. I am happy that I have been given this opportunity to welcome you in atonement of our past act. I am sure that under your guidance the noble democratic ideals will not only be cherished but will also flourish with fervour. I have no hesitation in saying that the Opposition Parties will be functioning effectively under you. On behalf of the D. M. K., I will extend my fullest co-operation to you.

MR. SPEAKER Friends, I am deeply grateful to the hon. Members of the House for the confidence they have reposed in me by electing me to this exalted office of the Speaker of the Lok Sabha.

[Shri Morarji Desai]

present and, for the rest, I shall have the privilege of doing it on Monday

- 1 Shri Parkash Singh Badal
- 2 Shri Sikander Bakht
- 3 Dr Protap Chandra Chunder
- 4 Prof Madhu Dandavate
- 5 Shri Mohan Dharla
- 6 Shri P Ramachandran
- 7 Shri Atal Bihari Vajpayee
8. Shri Ravindra Verma.

— —

1145 hrs.

OBITUARY REFERENCE

THE PRIME MINISTER (SHRI MORARJI DESAI) Mr Speaker, Sir it is my melancholy duty to move a Resolution to give expression to the Lok Sabha's grief over the demise of President Fakhruddin Ali Ahmed. The late President was a staunch nationalist from his early years and was one of the finest gentlemen in our political life. Selfless, modest but firm in his loyalty to the ideals which have built up our nation, he won the affection of our people. I was privileged to know him and work with him for many years. He had a remarkable gift for maintaining his equanimity in moments of stress and crisis. Through his culture and unfailing courtesy he added new dignity to the office of the President of India.

The Lok Sabha also remembers him as a conscientious parliamentarian.

His passing away has deprived the nation of a guide and statesman of rare quality.

I request all sections of the House to join me in requesting the Speaker to convey Lok Sabha's condolences to Begum Abida Ahmed and to other members of the family.

I beg to move the following Resolution

"That the Lok Sabha expresses its profound sorrow at the sudden death of the President of India, Shri Fakhruddin Ali Ahmed and pledges itself to promote the high ideals of patriotism, national unity, secularism and the service of humanity which he upheld."

SHRI YASHVANTRAO CHAVAN (Satara) I rise to pay our humble homage to the great son of India, the late President Fakhruddin Ali Ahmed. As I said he was a great son of India who participated in the Indian national Independence struggle. He was one of the few men to whom it was given to serve the country before the Independence and even during the post Independence period of reconstruction of modern India. He was educated in England. As a lawyer while he practised in Assam and in Calcutta too he never lost his contact with Delhi. He had if I can borrow the word of Prof. Rashidun, the simplicity of Assam, he had the ruggedness of the tribals he had the sophistication of the Urdu culture of Delhi.

Sir I had the privilege of knowing him personally for the last more than 15 years. He was associated with my Party from the days of 1931 and as such, when I came in contact with him he was connected with the very leading policy-making organs of our Party. If you look at him as a man, as a sportsman as a Minister and lastly as President what stands out is the man behind. He was religious by nature but he was secular in his convictions and conduct. As a Minister he had held many offices and he had held them with great distinction. He had functioned in this House as a Member of this House. I think many of the old Members know him with what grace he functioned in this House.

He participated in the national struggle and suffered with millions of other

citizens of India and he was thus one of the architects of Independence of India. As a man, Sir, he was simple in his natural behaviour. His disarming smile and his graceful and gentle conduct as a President won the hearts of millions of people.

It is a great tragedy that he is no more amongst us. He was highly respected as a man and as President in whatever country he visited. Only a few days before he died he had visited Malaysia. Unfortunately he came back and he fell seriously sick and died. We consider him as a great Indian, a great Congressman and a great President. We shall always remember him as the ideal person and follow in his footsteps.

Sir, I pay my humble homage to him.

श्री ज्ञानदेव राय (सासाराम) :
प्रमथ जी दिवंगत राष्ट्रपति श्री फखरुद्दीन अली मजिद भारतीय सङ्गति में जो कुछ सुन्दर है, उसका प्रतीक वे । वे राजनीति के मोड़ों पर ही साथ ही साथ उनमें मानवीय गुणों का समन्वय भी बहुत ही सुन्दर ढंग से हुआ था । भारत मित्र मित्र धर्मों का देश है । सभी धर्मों का आदर होना भारतीय सङ्गति का एक अविच्छिन्न भाग है । श्री फखरुद्दीन अली मजिद इसमें विश्वास ही नहीं रखते थे बल्कि यह उनके जीवन का एक भाग भी बन गया था और इसलिए भारत ने सभी लोगों के लिए यह प्रिय बन गए थे ।

वह एक खिलाड़ी थे । वह राजनीति में भी खेल खेलते थे और जब कभी मोरा था तो इस बात को बतला देते थे कि हार और जीत में प्रमथ रहना एवं खिलाड़ी का भ्रष्टा काम होता है । मन्त्रिमण्डल में भी वह रहे और जिन लोगों को उनके साथ काम करने का अवसर मिला उन्होंने यह देखा कि कार्य की सफलता के साथ-साथ उनके मानवता काम करने वालों में विश्वास पैदा करता, उनका

प्रेम सेना यह भी उनका एक गुण था । उनके चले जाने से भारत का एक महान पुरुष चला गया है और उन के स्थान की पूर्ति होना सम्भव नहीं है । जिन लोगों को उनके साथ राजनीति में काम करने का अवसर मिला, उन्होंने यह भी देखा कि राजनीति के भन्दार भी वह उदारता बरता करते थे और उदारता इस बात से चलती थी कि भारतीय सङ्गति में उनका बहुत विश्वास था । यह मानते थे कि भारतीय सङ्गति एक मिश्रित सङ्गति है और सभी लोगों की मिली जुली सङ्गति है । उनके गुणों को हम स्मरण रखें तो हमारा राष्ट्रीय जीवन सम्पन्न बन सकता है ।

उनके प्रति हम जितनी भी संवेदना प्रकट करें थोड़ी होगी । इन शब्दों के साथ मैं उनके प्रति श्रद्धाजलि अर्पित करता हूँ और उनके परिवार वालों के प्रति संवेदना प्रकट करना चाहता हूँ ।

SHRI SAMAR MUKHERJEE (Howrah) : Mr Speaker, Sir, on behalf of my Party, I fully associate myself with the sentiments expressed here in offering our condolences and homage to the departed President. I was not so thick with him though I had the privilege of coming in contact with him. The quality in him which attracted me was that he was above communalism and he carried forward the tradition of nationalist Muslims. The country was not prepared for this news of his sudden death, there was some confusion when the news of his sudden death came. No doubt, his death and absence at a critical time has been felt throughout the country.

On behalf of our Party, I request you to convey our condolences to the bereaved family.

SHRI K. MAYATHIVAR (Dindigul) : Mr Speaker, Sir, on behalf of the All-India Anna D.M.K., I convey my sorrowful condolences on the death of the President to the members of his bereaved family and request you to convey the same to them.

granted by the Congress High Command to form coalition government with any other party but just after his election as President Netaji went to Shillong and he reached the house of Fakhruddin Saheb. It was his personality that initiated Fakhruddin Saheb into the heart of national liberation movement in India and the main current of our national struggle.

12 hrs

He stayed at the house of Fakhruddin Saheb and asked Shri Bardoloi and Fakhruddin Saheb to move a non-confidence motion against the Saadullah Ministry. Saadullah Ministry fell and it was Netaji who was sitting there at that time with the help of Fakhruddin Saheb requested Bardoloi to set up a Congress Ministry in Assam although at that time the Congress High Command did not permit it. But as you know Netaji was daring and dashing he did not wait for any permission from the Congress High Command. But with the help of Fakhruddin Saheb the first Congress Ministry was set up in Assam and thus with the help of Fakhruddin Saheb Assam was saved from a catastrophe the catastrophe of becoming the victim of partition. Fakhruddin Saheb when he became the President in his Radio and TV broadcast mentioned in an expression of deep feeling that he was initiated into Indian national politics by Netaji.

I have had many occasions to meet him as a Minister as also as President and even when I went to see him in connection with some official work, he would introduce each and every time some of the ideals and feelings which he derived from Netaji. On 25th June 1975 at about 6 p.m. I had a half an hour discussion with Fakhruddin Saheb. At a very crucial and critical moment how sensitive his mind was was witnessed by me during the discussion. I do not want to convey the controversial content of that discussion now. And then the very night I was arrested under MISA. When I was released I had

occasion to meet him and he was so sensitive and so compassionate towards me that he immediately asked his personal doctor Dr Caroli to take care of my health. Sir I want to say that Fakhruddin Saheb was not only above communalism but he was much more than that he was a true Indian and he carried the spirit of Indian nationalism. I do not want to use the word in a negative sense not only was he a true Indian a true Indian nationalist but he carried the great heritage of Indian culture. He was a man of high dignity and a man of fine sensitivity and human feeling and that was the characteristic of a man of high dignity and cultural complexion with a deep commitment to Indian nationalism. Sir when we pay homage to him, we should remember his dedication to the spirit of Indian nationalism.

SHRI P. K. DEO (Kalahandi)
Mr Speaker Sir I associate myself with the sentiments of sorrow that have been expressed in this House by various friends on the sad demise of our dear President Shri Fakhruddin Ali Ahmed.

ममवत इमे देश

Everybody who is born has to die some day. But he was snatched away from the public life while he was in office by the cruel hands of Death. The public life of this country has become poorer by the absence of this great Indian. Sir he was the embodiment of humility and humanity and I have had great regard for him. I had the privilege of working in this House with him for several years and I simply admired him. While in office after returning from his strenuous journey from Malaysia he succumbed to death. I express my sorrow and I pay my homage and tribute to him and offer my condolences to the members of the bereaved family.

SHRI SKARIAH THOMAS (Kottayam) Sir the sad demise of the late President Shri Fakhruddin Ali Ahmed is a great loss to the

[Shri Skariah Thomas]

nation He was a freedom fighter, an able administrator and a protector of the minorities. We the members of the Kerala Congress Parliamentary group offer our condolences to the bereaved members of his family.

श्री श्री बख्शोर सिंह (होमियारपुर) :

प्रथमः महोदय, मैं स्वर्गीय श्री प्रमोदश्रीन भन्सी प्रहमद की मौत पर उन की श्रद्धांजलि भेंट करने के लिए यहां हुआ हूँ। हम देश के करोड़ों लोगों में ऐसी धारणा बनी है कि उन की मौत मुदरती हातात में नहीं हुई और हम बारे में उनमें बहुत शयान्ताप है। इसलिए मैं सरकार और श्री मोरारजी देसाई से बहूना कि वह हम बार में एतबापरी कराये कि जिन हातात में उन की मौत हुई, ताकि लोगों को पता चले कि वह मुदरती मौत मरे हैं या नहीं।

श्री प्रमोदश्रीन भन्सी प्रहमद एक बहुत बड़े दस्तान थे।

प्रशिक्षा से बेहतर है इन्तान हाना, मगर इसमें होती है मेहनत ज्यादा। वह इन्तानियत के पुजारी थे। मैं फिर बहूना कि सरकार इस बात की एतबापरी कराये कि उनकी मौत जिन हातात में हुई।

PROF P G MAVALANKAR (Gandhinagar) Sir, I rise to pay my respectful homage to our late President, Shri Fakhruddin Ali Ahmed. His sudden death has left us all deeply shocked and distressed. He was a gentle and sensitive soul. His two qualities among many, which attracted all towards him always were his simplicity and charm. His sincerity of purpose and sportsmanship were also qualities which lent a special flavour and a special meaning to the public and political life of our democratic Republic. President

Ahmed was a sportsman not only in the sense that he played tennis, golf, hockey, cricket and other games but he also played well by observing the rules of the game in politics and in public life as a true sportsman. He took his victories and defeats in the manner in which a true sportsman would take his victories and defeats. One can hardly see a better and nobler example of secularism—

“स्वर्ग धर्म समभाव” स्वर्ग धर्म समभाव

that was very beautifully symbolised in our late President. His humility and qualities of head and heart will be an example for all to follow in this great Republic of ours. I join this honourable House in requesting you, Sir, to convey our sincere condolences to Begum Abida Ahmed and other members of the bereaved family.

MR. SPEAKER With a heavy heart laden with grief and sorrow, I join the House in paying my humble tribute to our revered President, the late Shri Fakhruddin Ali Ahmed. I fully associate myself with the sentiments expressed here by the Prime Minister, Leader of the Opposition, Leaders of Opposition Groups and other Members on the passing away of Shri Fakhruddin Ali Ahmed. He was an illustrious statesman who symbolised the best traditions of India's composite culture. During his long association with Parliament, he had endeared himself to all sections of the House by his parliamentary skill and amiable nature. We deeply mourn the loss of this great son of India. We convey our heart felt condolences to Begum Abida Ahmed and other members of the bereaved family.

I would now request hon. Members to rise in their places to show their approval of the Resolution moved by the Prime Minister and to observe a minute's silence as a mark of respect to the memory of the late President.

The members then stood in silence for a short while.

SHRI P K DEO (Kalahandi) Sir,
under Rule 277 . . .

MR SPEAKER I am on my legs.

MR SPEAKER The Resolution
is adopted As a mark of respect to
the memory of the late Shri Fakhrud
din Ali Ahmed, the House stands

adjourned to meet again on Monday,
the 28th March, 1977 half-an-hour
after the Address by the Vice-Presi-
dent acting as President

*The Lok Sabha then adjourned till
half-an-hour after the address by
the Vice-President acting as Presi-
dent, on Monday, March 29 1977/
Chaitra 7 1899 (Saka)*

CONTENTS

No 3, Monday, March 28, 1977|Chaura 7, 1899 (Saka)

	COLUMNS
Members sworn	1
Address by the Vice-President acting as President	1—10
Obituary References	11—15
Papers laid on the Table	15—21
Re Adjournment Motion	21—24
Supplementary Demands for Grants (General), 1976-77— <i>Statement presented</i>	25—27
Supplementary Demands for Grants (Railways), 1976-77— <i>Statement presented</i>	27
Supplementary Demands for Grants (Tamil Nadu), 1976-77— <i>Statement presented</i>	28
Supplementary Demands for Grants (Nagaland), 1976-77— <i>Statement presented</i>	28
Supplementary Demands for Grants (Pondicherry), 1976-77— <i>Statement presented</i>	28
Railway Budget, 1977-78	28-39
General Budget, 1977-78	39-42
Finance Bill, 1977	42
Tamil Nadu Budget, 1977-78	43-44
Nagaland Budget, 1977-78	44-45
Pondicherry Budget, 1977-78	45-46

LOK SABHA DEBATES

1

LOK SABHA

Monday March 28 1977/Chaitra 7
1899 (A. I. a)

The Lok Sabha met at Eleven of the
Clock

[Mr SPEAKER in the Chair]

MEMBERS SWORN

Shri Bindhyeshwari Prasad Mardai
(Madhepura)

Shri Ebrahim Sulaiman Sait
(Manjeri)

Shri Sreekantan Nair (Quilon)

Shri Narendrasingh Yadvendrasingh
(Damoh)

Shri Hemvati Nandan Bahuguna
(Lucknow)

Shri Ram Lal Rahi (Mirrikh)

Shri Ram Nihor Rakesh (Chail)

Shri Saradish Roy (Belpur)

Shri Gadadhar Saha (Birbhum)

Shri Ramubhai Rabjibhai Patel
(Dadra and Nagar Haveli)

11.55 hrs.

ADDRESS BY THE VICE
PRESIDENT ACTING AS PRESIDENT

SECRETARY-GENERAL Sir I lay
on the Table a copy of the Address by
the Vice President acting as President
to both Houses of Parliament
assembled together on the 28th March
1977

2

Address by the Vice President acting
as President

माननीय सदस्य (ण)

मैं नई लोक सभा के सदस्य को बधाई
देता हूँ और छठी सप्ताह के समुक्त अधिवेशन
में आप सब का स्वागत करता हूँ।

इस अवसर पर जब हम एक सौम्य और
परिचित चेहरा नहीं देखते तो मेरे विचार
हमारे भूतपूर्व राष्ट्रपति श्री फखरुद्दीन अली
महमद की ओर जाते हैं जो एक वरिष्ठ
राजनीतिज्ञ विवेकपूर्ण सलाहकार, अनुभवी
अनुवा तथ सज्जन पुरुष थे। आज हम उनका
निधन पर शोक प्रकट करते हैं और देश
भाविदा महमद को अपनी हार्दिक संवेदनार्थ
देते हैं।

अभी जो काम चुनाव हुआ है उससे प्रभाव-
पूर्ण तथ निर्णायक ढंग से यह सिद्ध हो गया
है कि जनता की अपनी ताकत लोकतन्त्रात्मक
प्रक्रिया की जीवन शक्ति जिसकी जड़ अभी
है पर कितना गहरी है। जनता ने प्रशासक
के मनमानेपन तथा व्यक्ति-भूजा के अम्युदय
तथा और संबंध निक शक्ति के द्रा के विपक्ष
व्यक्तिगत स्वतंत्रता लोकतन्त्र तथा विधि-
नियम के पक्ष में अपना स्पष्ट निजय दिया है।
यह चुनाव हमारी लोकतन्त्रात्मक व्यवस्था की
एक स्वस्थ दो-दलीय प्रणाली के विकास
की दिया में एक महत्वपूर्ण मील-पाथर है।

मेरी सरकार जनता द्वारा दिए गए नियम
का हर तरह से पालन करने के लिए बचनबद्ध
है। ऐसा करने में यह मान कर नहीं चला
जाना कि जनता कुछ नहीं जानती और

चलाया गया उससे जनना में जितना आक्रोश देखा गया वह पहले कभी नहीं देखा गया। इससे इस कार्यक्रम को, जो राष्ट्र के कल्याण के लिए महत्वपूर्ण है, भारी नुकसान पहुंचा। परिवार नियोजन एक ऐच्छिक कार्यक्रम तथा एक व्यापक नीति के अग्रिम अंग के रूप में जोरदार ढंग से चलाया जाएगा, जिसमें शिक्षा, स्वास्थ्य, मातृ-स्नेह और बाल कल्याण, परिवार-कल्याण, महिला अधिकार तथा पीछे छोड़े हुए श्रमिक शामिल हैं।

आर्थिक क्षेत्र में सरकार 10 वर्षों की अवधि में गरीबी हटाने के लिए बचनबद्ध है। ग्रामीण क्षेत्रों की अपेक्षाकृत उपेक्षा से अर्थ-व्यवस्था में एक अमानक असंतुलन उत्पन्न हुआ, जिससे लोग गांव से शहरों की ओर जाने लगे हैं। किसानों को अपने उत्पादन का उचित दाम नहीं मिला है। कृषि तथा सम्बद्ध विभागों के लिए विनियोजन बहुत ही अपर्याप्त है और गांवों की स्थिति सुधारने की आवश्यकता पर बहुत कम ध्यान दिया गया। एक लाख से ज्यादा गांवों में पीने के पानी जैसी प्राथमिक सुविधा भी नहीं है। मेरी सरकार रोजगार सम्मुख नीति अपनाएगी, जिसमें कृषि विकास, कृषि उद्योग, छोटे और बड़े उद्योगों को, विशेष रूप से ग्रामीण इलाकों में प्राथमिकता मिलेगी। ग्रामीण क्षेत्रों में न्यूनतम आवश्यकताओं के प्रावधानों तथा समग्र ग्रामीण विकास को भी ऊँची प्राथमिकता दी जाएगी। पंचवर्षीय योजना की योजनाओं की जाँच की जाएगी योजना की प्रक्रिया में फिर से प्राण संचार किया जायेगा और छोटी पंचवर्षीय योजना पर ध्वनिपूर्ण काम शुरू होगा। इस साल बाद में अंतिम बजट पेश करने समय उन आर्थिक कार्यक्रमों की घोषणा की जाएगी जिन्हें कप्तान का प्रस्ताव है।

अब मैं वैदेशिक संबंधों पर आता हूँ। मेरी सरकार उन सभी वादों को निभाएगी जो पिछली सरकार पर चली हैं। यह समानता और परस्पर सहभाव के आधार पर सभी पक्षों तथा विश्व के अन्य देशों के साथ मैत्री

भाव रखेगी और गुट निरपेक्षता की सही नीति अपनाएगी। मुझे यह कहने में खुशी हो रही है कि मेरी सरकार अगले महीने के प्रारम्भ में गुटनिरपेक्ष सम्न्वयात्मक शूलों की बैठक की मेजबानी करेगी। मेरी सरकार सभी विकास शील राष्ट्रों के साथ आर्थिक और तकनीकी सहयोग तथा मदद को भी मजबूत करने पर विशेष ध्यान देगी।

माननीय सदस्यगण, आपका वर्तमान अधिवेशन छोटा होगा, जिसमें वित्तीय मामला-सभ की पूरक भागी, राष्ट्रपति शासन के अन्तर्गत राज्यों, और काम बजट के संबंध में बोट आन एकाउन्ट, रेल बजट तथा राष्ट्रपति शासन के अधीन राज्यों के बजट—पर तत्काल ध्यान देना होगा। भागामी महीनों में आपकी सामने बहुत ही व्यस्त कार्यक्रम है। आज राष्ट्र को आपसे बहुत बड़ी अपेक्षा है और मेरा विश्वास है कि आप उन कार्यों को, जो आपके सामने सरकार द्वारा पेश किए जाएंगे, लगन और सफलता से पूरा करने में अपना सहयोग देंगे। मैं इन कार्यों की ओर आपका आह्वान करता हूँ और आपकी सकलता की कामना करता हूँ।

जय हिन्द।

Honourable Members,

I extend my felicitations to the members of the new Lok Sabha and welcome you all to the joint session of the Sixth Parliament.

On this occasion when we miss his benign and familiar presence my thoughts go to our late President Shri Fakhruddin Ali Ahmed in whom we have lost an elder statesman, a wise counsellor, an experienced leader, and a perfect gentleman. We mourn his loss today and convey our sincere and heartfelt condolences to Begum Abida Ahmed.

The General Election just concluded has effectively and decisively demonstrated the power of the people, the vitality of the democratic process in India and the deep root that it has taken. The people have given a clean verdict in favour of individual freedom, democracy and the rule of law and against executive arbitrariness, the emergence of a personality cult and extra constitutional centres of power. The election marks an important milestone in the evolution of our democratic polity into a healthy two party system.

My Government pledges itself to fulfil in every way the mandate given to it by the people. In doing so it will not take the people for granted or assume that they know nothing, and that the Government alone knows all answers and solutions. The traumatic experience of the last two years during which many atrocities were committed on the people and they had to undergo untold sufferings and some have even died has brought home the relevance of this

Honourable Members, the new Government has taken charge only three days ago. It has not had the time to work out the details of the various measures it intends to adopt. This will be done in due course during the year and placed before you. Nevertheless, there are some urgent tasks to be attended to and the Government will take them in hand immediately.

The most urgent task is to remove the remaining curbs on the fundamental freedoms and civil rights of the people to restore the rule of law and the right of free expression to the Press. The external emergency proclaimed in 1971 has been revoked by me yesterday. The Government will also take the following measures:

- (i) Having regard to the gross abuse to which the Maintenance of Internal Security

Act has been put during the last two years, a thorough review of the Act will be undertaken with a view to repealing it and examining whether the existing laws need further strengthening to deal with economic offences and security of the country without denying the right of approach to courts.

- (ii) Legislation will be introduced to ensure that no political or social organisation is banned except on adequate grounds and after an independent judicial enquiry.

- (iii) The Prevention of Publication of Objectionable Matters Act will be repealed. Immunity which the Press enjoyed in reporting the proceedings of legislatures will be restored.

- (iv) The amendment to the Representation of Peoples Act which redefined corrupt practices and afforded protection to electoral offences by certain individuals by placing them beyond the scrutiny of the courts will be repealed.

During the course of the year a comprehensive measure will be placed before you to amend the Constitution to restore the balance between the people and Parliament, Parliament and the Judiciary, the Judiciary and the Executive, the States and the Centre, the citizen and the Government that the founding fathers of our Constitution had worked out. This will include provisions to amend Article 352 to prevent the abuse of the power to declare emergency and of the relevant Articles to ensure that President's Rule is imposed strictly in accordance with the objectives mentioned in the Constitution and not for extraneous purposes.

One of the very serious developments in the recent past was the erosion of the freedom and impartiality of the media of publicity and information. My Government will take steps to restore to the media their due place in a democracy. Steps will also be taken to ensure that All India Radio Doordarshan Films Division and other Government media function in a fair and objective manner.

Nothing has roused public anger and resentment so much as the manner in which the family planning programme was implemented last year in several parts of the country. This has caused a major set back to the programme which is vital for the welfare of the nation. Family planning will be pursued vigorously as a wholly voluntary programme and as an integral part of a comprehensive policy covering education, health, maternity and child care, family welfare, women's rights and nutrition.

In the economic sphere the Government is pledged to the removal of destitution within a definite time-frame of 10 years. Relative neglect of the rural sector has created a dangerous imbalance in the economy leading to migration of people from rural areas to urban centres. The farmer has been denied reasonable and fair price for his products. Allocations for agriculture and related developments have been grossly inadequate and the need to improve conditions in the villages has received scarce attention. More than a lakh of villages do not even have the most elementary facilities for drinking water. My Government will follow an employment oriented strategy in which primacy will be given to the development of agriculture, agro-industries, small and cottage industries especially in rural areas. High priority will also be given to the provisions of minimum needs in rural areas and to integrated rural development. To the extent possible at this

point of time, the Fifth Five Year Plan will be reviewed. The planning process will be revitalised and work on the Sixth Five Year Plan will be taken up without delay. My Government will announce at the time of the presentation of the final budget later this year the details of the economic programme that is proposed to be followed.

I now come to external relations. My Government will honour all the commitments made by the previous Government. It stands for friendship with all our neighbours and other nations of the world on the basis of equality and reciprocity and will follow a path of genuine non-alignment. I am glad to say that my Government will be hosting a meeting of the Non-aligned Co-ordinating Bureau early next month. My Government will also give very special attention to the strengthening of ties and economic and technical co-operation with oil developing nations.

Honourable Members, your present session will be a short one in which you will have to attend to urgent financial business—the Supplementary Demands of the Union and the States under President's Rule and the Vote on Account regarding the General Budget, the Railway Budget and the budgets of States under President's Rule. A heavy and busy schedule lies ahead of you in the coming months. There is today a mood of expectancy in the country and I trust that you will co-operate fully in attending to the business that will be placed before you by Government, with thoroughness and expedition. I commend you to your tasks and wish you all success.

Jai Hind

12 hrs

OBITUARY REFERENCES

MR SPEAKER. I have to inform the House of the sad demise of twelve of our friends namely Shri Narasingha Malla Deb Shri P R Kanavade Patil, Shri Nana Ramchandra Patil, Shri Sheo Narayan Fotedar Shri R M Hajarnavis Shri Ajit Prasad Jain, Shri Nema Suran Jain, Shri C Chittababu Shri E V K Sampath Shri U N Dhebar Shri T H Gavit and Shri A I. Gopalau

Shri Narasingha Malla Deb was a Member of the Second Lok Sabha during the years 1957-62 representing Midnapore constituency in West Bengal. Earlier he was a Member of the West Bengal Legislative Council during the years 1952-57. A philanthropist and a social worker he founded schools, colleges, a polytechnic and a hospital in Jhargram and set up a handicrafts institution for widows. He nursed these institutions till his death. A man of versatile ability he was several clubs and sports organisations. He passed away at Calcutta on the 11th November 1976 at the age of 70.

Shri P R Kanavade Patil was a Member of the First Lok Sabha during the years 1952-57 from Ahmednagar North constituency of the erstwhile Bombay State. A prominent social worker he had played a prominent role in the removal of untouchability and spread of education in Ahmednagar District. He passed away at Ahmednagar on the 8th November 1976 at the age of 74.

Shri Nana Ramchandra Patil was a Member of the Second and the Fourth Lok Sabha during the years 1957-62 and 1967-70 respectively. During the Fourth Lok Sabha he represented Bhilco constituency in Maharashtra. Shri Patil took keen interest in the freedom struggle and organised many revolutionary activities in his home State against the foreign rule. He dedicated

most of his time to the service of the poor and thereby endeared himself to the rural masses. He passed away at Miraj on the 6th December, 1976 at the age of 78.

Shri Sheo Narayan Fotedar was a Member of the First Lok Sabha during the years 1952-57. Starting his career as a Professor of History in 1929 Shri Fotedar plunged into politics in 1931. In 1933 he was elected as Member of Sr Nagar Municipal Corporation and later became its Vice President and President. In 1935 he was chosen as the President of All State Kashmiri Panchayat Conference. A great parliamentarian he was elected to Kashmir State Legislative Assembly in 1934 and was a Member of the Assembly for 13 years. As a member of the First Lok Sabha he took keen interest in the proceedings of the House and served on many important Committees. He was also a Member of the Parliamentary delegation to Turkey and the Middle East countries in 1954. Returning back to the State Legislature in 1957 he was elected as the Chairman of the Kashmir Legislative Council. He participated in several conferences of Presiding Officers of Legislative bodies in India. He passed away on the 6th December 1976 at the age of 78.

Shri R M Hajarnavis was a Member of the Second Third and Fourth Lok Sabha during the years 1957-70. In Fourth Lok Sabha he represented Chikur constituency in Maharashtra. He started his career as a lawyer and earned great repute in that field. He was Deputy Minister in the Union Government during the years 1953-63 and Minister of State during the years 1963-65. He passed away at Nagpur on the 27th December 1976 at the age of 63.

Shri Ajit Prasad Jain was a Member of the Constituent Assembly Provisional Parliament First, Second and Third Lok Sabha during the years 1946-65. He was Minister of Rehabilitation in the Union Government during the years 1953-54 and Minister of Food and Agriculture during the years 1954-59.

He was Governor of Kerala during the years 1965-66 and later served as Member of Rajya Sabha during the years 1969-74. Earlier he had also been a Member of Uttar Pradesh Legislative Assembly during the years 1937-47. A renowned statesman, seasoned parliamentarian and able administrator, Shri Jain served the country with great dedication in several fields. He passed away at New Delhi on the 2nd January 1977 at the age of 75.

Shri Nemi Saran Jain was a Member of the Provisional Parliament and First Lok Sabha during the years 1950-57. In the first Lok Sabha he represented Bijnor constituency of Uttar Pradesh. He took an active part in the freedom struggle and suffered imprisonment several times during 1922 to 1944. He was a Member of the Uttar Pradesh Legislative Council during the years 1924-30. A renowned social worker, he took keen interest in the development of rural areas and was associated with several social organisations. He passed away at New Delhi on the 3rd January 1977 at the age of 73.

Shri C. Chittibabu was a Member of the Fourth and Fifth Lok Sabha from Chingleput constituency of Tamil Nadu during the years 1957-77. A journalist in his early career, Shri Chittibabu was Editor of the English weekly *Home Rule* published from Madras and also served as Mayor of Madras during the years 1965-66. He passed away at the General Hospital, Madras on the 5th January 1977, at the very young age of 41.

Shri E. V. K. Sampath was a Member of the Second Lok Sabha during the years 1957-62 from Nannakkal constituency of erstwhile Madras State. A prominent social worker, he devoted himself mainly to the task of eradication of the caste system. He also took keen interest in the field of education and was associated with several educational institutions. He passed away at Madras on the 23rd February 1977 at the age of 51.

Shri U. N. Dhebar was a Member of the Third Lok Sabha during the years

1962-63 from Rajkot constituency of Gujarat State. An eminent lawyer and a dedicated social worker, Shri Dhebar served the country in various capacities. He was the Chief Architect of Modern Saurashtra which came into existence following the integration of a large number of princely States. In 1948, He served as Chief Minister in the erstwhile state of Saurashtra during the years 1948-54. During his tenure as Chief Minister, he introduced many progressive land reforms. He served as the Chairman of the Scheduled Areas and Scheduled Tribes Commission during 1960-61. He was also associated with several educational institutions in his home State. Shri Dhebar passed away at Rajkot on the 11th March 1977 at the age of 72.

Shri T. H. Gavit was a Member of the Fourth and Fifth Lok Sabha during the years 1967-77 representing Nandurbar constituency in Maharashtra. Earlier he was a member of the erstwhile Bombay Legislative Assembly during the years 1952-57. A seasoned Parliamentarian, he took keen interest in the proceedings of the House and served on several Parliamentary Committees and other Governmental Bodies. A social worker, he devoted himself to the cause of backward classes particularly the Scheduled Tribes. He passed away at New Delhi on the 18th March 1977 at the age of 54.

Shri A. K. Gopalan was a Member of First Second Third Fourth and Fifth Lok Sabha during the years 1952-77. In the Fifth Lok Sabha he represented Palghat constituency in Kerala and was leader of Communist Party of India (Marxist), the largest opposition group. Starting his career as a teacher, Shri Gopalan plunged into active politics in 1927 and dedicated himself to the freedom movement in the Malabar area. Later he founded the Kerala Communist Party. A tireless and dedicated worker, he never sought any office. He in fact gained popularity amongst the masses and became a national leader by his selfless work. Devoting himself to the trade union and kisan movements in Kerala, he raised the consciousness of

[Mr Speaker]

the exploited and down-trodden people. He was imprisoned and detained several times for political activities and remained underground for five years during British rule. He led the famous Temple Entry Satyagraha in Guruvayoor Kerala and when on hunger march from Cannanore to Madras on foot covering a distance of 750 miles. A seasoned parliamentarian and forceful speaker, he took active interest in the proceedings of the House. He always championed the cause of agriculturists, landless labourers and the common man. He also wrote many books on varied topics. He passed away at Trivandrum on the 22nd March, 1977 at the age of 72. In his death the country has lost a great patriot.

We deeply mourn the loss of these friends and I am sure the House will join me in conveying our condolences to the bereaved families.

The House may stand in silence for a short while to express its sorrow.

The Members then stood in silence for a short while.

12.10 hrs

PAPERS LAID ON THE TABLE

ORDINANCES PROMULGATED BY PRESIDENT

MR SPEAKER Mr Shanti Bhushan

Some Hon Members rose—

श्री कंवरलाल गुप्त (दिल्ली-सदर) - अध्यक्ष महोदय, इसने पहले कि ये अध्यादेश महा सदन के पटल पर रखे जाय मैं विधि मंत्री का ध्यान भाटिकल 123 (2) (बी) की तरफ दिखाना चाहता हूँ जिसमें यह व्यवस्था है कि अगर कोई अध्यादेश जारी किए जाते हैं तो सरकार यदि उचित समझे तो उन को किसी समय भी वापस ले सकती है। इन अध्यादेशों में विशेषतः 4, 6, 7, 8 और 9 नम्बर के अध्यादेश बिल्कुल अनदेखी-देखी हैं और हमारी पार्टी इनसे सहमत नहीं है। तो मैं विधि मंत्री से प्रार्थना करूँगा कि बजाय हमने

कि ये इससे ऊपर सदन का समय लें, इन अध्यादेशों को वे अभी वापस ले लें। इस में देरी न करें ताकि सदन का समय इन अध्यादेशों के ऊपर व्यर्थ न जाय किन्तु प्राइम मिनिस्टर, प्रेसीडेंट और वाइस-प्रेसीडेंट व एलेक्शन की बात है तथा मेट्रोपालिटन कांसिल की मियाद बढ़ाने की बात है। मैं प्रार्थना करूँगा कि इन अध्यादेशों के ऊपर सदन का समय खर्च नहीं किया जाना चाहिए। भाटिकल 123 (2) (बी) इस प्रकार है

An Ordinance promulgated under this article shall have the same force and effect as an Act of Parliament, but every such Ordinance may be withdrawn at any time by the President.

May I request the hon. Minister to have these Ordinances withdrawn? They are highly objectionable and anti-democratic.

MR SPEAKER Normally, while papers are laid on the Table of the House, we do not allow any discussion. After all, these are only being placed on the Table. Government may or may not proceed with them. Since the hon. Member wanted to raise it, I had allowed him. Now I will allow only Mr Krishna Kant.

SHRI JYOTIRMAY BOSU (Diamond Harbour) Are you allowing a discussion right now?

MR SPEAKER No discussion at all. Normally, when papers are laid on the Table of the House there is absolutely no discussion. Perhaps, the same point which Mr Kanwar Lal Gupta has raised, is likely to be raised by Mr Krishna Kant also. The point has been made to the Minister concerned. What he might say or do is the Government's concern. I would only say this. If we start having a discussion now, there will be no end to it. We have a very important business to transact. Also if I am to permit all the Members and we are to have a discussion now, then it will be

creating a bad precedent After all one submission has been made If every hon Member begins making submissions it will take the time of the House and it will also be a bad precedent Laying the papers on the Table of the House is just a normal procedure Later on, Government may or may not proceed with those Ordinances it is not compulsory just because they are laying them on the Table that they should proceed with them Therefore let us not prolong this (Interruptions) I have no objection but you will be creating a very bad precedent and once a precedent is created next time when somebody else wants to raise something when papers are laid on the Table I cannot say No you cannot raise it After all the point has been made The Minister may lay them on the Table now Later on he may explain whether he is going to proceed with them or not Therefore may I request the hon Members not to raise anything now I will allow only Mr Krishna Kant because he had given me notice earlier Mr Krishna Kant

SHRI JYOTIRMOY BOSU On a point of submission

SHRI S KUNDU (Balasore) On a point of order It is an important point of order

MR SPEAKER What is the point of order?

SHRI S KUNDU You will find in this order paper under item 4(7)

MR SPEAKER There is no point of order at all The hon Member is raising the same issue in the name of point of order

SHRI S KUNDU Sir this item which has been introduced today is not Constitutionally admissible it cannot be admitted before the House Here Sir the ordinance on the disputed election matter in respect of the Prime Minister

MR SPEAKER Please sit down There is no point of order

SHRI JYOTIRMOY BOSU Arising out of the observations may I make a submission

MR SPEAKER There is no point of order at all there is no point of submission

SHRI KRISHNA KANT (Chandigarh) Sir before the Minister lays these papers on the Table of the House I would like to know whether in view of what the President has said in his Address and in view of the promises that we have made in the last elections that equality will be maintained in so far as the Prime Minister Speaker and other Members of Lok Sabha are concerned he will allow this ordinance to pass Or it will be much better to withdraw it earlier even now that can be done

THE MINISTER OF LAW JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN) These ordinances are being laid on the Table of the House in view of the mandatory requirement of Article 123 That does not mean that the Government proposes to convert them into Acts or to introduce Bills to that effect The thinking of the Government will be crystallised in one course but the President's Address itself has given an indication of the broad thinking of the Government in so far as that matter is concerned.

I beg to lay on the table a copy each of the following Ordinances (Hindi and English versions) under article 123 (2) (a) of the Constitution —

- (1) The East Punjab Urban Rent Restriction (Chandigarh Amendment) Ordinance 1976 (No 14 of 1976) promulgated by the President on the 17th December 1976
- (2) The Caltex [Acquisition of Shares of Caltex Oil Refining (India) Limited and of undertakings in India of Caltex (India) Limited] Ordinance 1976 (No 15 of 1977) promulgated by the President on the 30th December 1976

[Shri Shanti Bhusan]

- (3) The Food Corporations (Amendment) Ordinance, 1976 (No 16 of 1976) promulgated by the President on the 31st December 1976
- (4) The Representation of the People (Amendment) Ordinance 1977 (No 1 of 1977) promulgated by the President on the 2nd February 1977
- (5) The Petroleum Pipelines (Acquisition of Right of User in Land) Amendment Ordinance, 1977 (No 2 of 1977) promulgated by the President on 3rd February, 1977
- (6) The Presidential and Vice-Presidential Elections (Amendment) Ordinance, 1977 (No 3 of 1977) promulgated by the President on the 3rd February, 1977
- (7) The Disputed Elections (Prime Minister and Speaker) Ordinance, 1977 (No 4 of 1977) promulgated by the President on the 3rd February, 1977
- (8) The Government of Union Territories (Amendment) Ordinance, 1977 (No 5 of 1977) promulgated by the President on the 7th February, 1977
- (9) The Delhi Administration (Amendment) Ordinance, 1977 (No 6 of 1977) promulgated by the President on the 7th February, 1977 [Placed in Library See No LT 2/77]

SHRI JYOTIRMOY BOSU Sir it was clearly indicated in the Handbook for Members that while the papers are being laid on the Table of the House, the Members have a right to seek further information. But unfortunately, after you left, that provision was withdrawn. It is a pity that that practice should continue now. Therefore Sir

MR. SPEAKER Now, let the papers be laid on the Table of the House

PROCLAMATIONS REVOKING INTERNAL AND EXTERNAL EMERGENCIES, NOTIFICATIONS UNDER DEFENCE AND INTERNAL SECURITY OF INDIA RULES, 1971, AND DEFENCE AND INTERNAL SECURITY OF INDIA ACT, 1971, AND A STATEMENT, AND PRESIDENT'S ORDER UNDER GOVERNMENT OF UNION TERRITORIES ACT, 1963

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA) On behalf of Chaudhary Charan Singh, I beg to lay on the Table —

(1) A copy each of the following Proclamations (Hindi and English versions) under sub-clause (b) of clause (2) of article 352 of the Constitution —

(i) Proclamation issued by the Vice-President acting as President on the 21st March, 1977 under sub-clause (a) of clause (2) of article 352 of the Constitution, revoking the proclamation of Emergency issued on the 25th June, 1975, published in Notification No G.S.R. 117(E) in Gazette of India dated the 21st March, 1977 [Placed in Library, See No. LT-3/77]

(ii) Proclamation issued by the Vice-President acting as President on the 27th March, 1977 under sub-clause (a) of clause (2) of article 352 of the Constitution, revoking the Proclamation of Emergency issued on the 3rd December, 1971, published in Notification No G.S.R. 132(E) in Gazette of India dated the 27th March, 1977 [Placed in Library See No. LT-4/77]

(2) A copy of the Compensation Tribunal (Amendment) Order, 1977 (Hindi and English versions), published in Notification No G.S.R. 71(E) dated the 9th February, 1977 issued under the Defence and Internal Security of India Rules, 1971 [Placed in Library See No. LT-5/77]

(3) (i) A copy of the Defence and Internal Security of India (Amendment) Rules, 1976 (Hindi and English versions) published in Notification No GSR 396(E) dated the 11th June, 1976, under section 35 of the Defence and Internal Security of India Act, 1971.

(ii) A statement (Hindi and English versions) giving reasons for delay in laying the above Notification [Placed in Library See No LT-6/77]

(4) A copy of the Order of the President dated the 5th February, 1977 issued under section 51 of the Government of Union Territories Act 1963, extending the President's rule in Pondicherry for a further period of one year commencing from the 28th March, 1977 published in Notification No S O 149(E) in Gazette of India dated the 9th February, 1977. [Placed in Library See No LT- 7/77]

12.20 hrs

RE ADJOURNMENT MOTION DR KARAN SINGH (Udhampur)

Mr Speaker, Sir, I have given notice of an adjournment motion to discuss the undemocratic and totally unwarranted dissolution of the Jammu and Kashmir Assembly. There has been a major distortion and perversion of democracy and this should be brought and discussed before the House immediately.

MR. SPEAKER I have received the notice, and I will request the hon

Member to raise it tomorrow. I will give my consideration to it today and tomorrow we shall see if we can discuss.

SHRI SHYAMNANDAN MISHRA (Begusarai) May I raise a question of propriety if not a breach of privilege of the House?

SHRI JYOTIRMOY BOSU (Diamond Harbour) On the day of President's Address, how can it be raised? You should rule it out.

MR. SPEAKER I have received the notice. I have been suggesting to the hon Member that I will be giving my consideration. I am very particular that the Vote on Account must go through but, tomorrow I will give my consideration and then give my decision tomorrow morning. If there is going to be discussion tomorrow, you can have it some time tomorrow evening.

श्री मोहम्मद शफी कुरेशी (अनन्तनाग) :-
अध्यक्ष महोदय, प्राय एडजर्नमेंट मोशन लें,
मझे कोई एतराज नहीं है लेकिन बजीरे
आज़म या होम मिनिस्टर को बयान देना
चाहिए। पहले वे बयान दें। मैं यह बात भी
बहना चाहता हूँ कि जनता पार्टी ने सबसे
पहले कश्मीर में डेमोक्रेसी का खून किया
है। (एवधान)

[شری محمد شافع قریشی (اننت
ناگ): ادھیہش مہودیس، آپ ایڈجرنمنٹ
موشن لون، مجھے کوئی اتراف نہیں
ہے لیکن وزیر اعظم یا ہوم منسٹر کو
بھان دینا چاہئے۔ پہلے وہ بیان دیں۔
میں یہ بات بھی کہنا چاہتا
ہوں کہ جدا پارٹی نے سب سے پہلے
جسٹ کشمیر ریاست میں ڈیموکریسی
خون کیا ہے۔ (ایودھان)]

SHRI KANWAR LAL GUPTA

(Delhi—Sadar) Sir is the hon. Member prepared to resign and face the electorate" (Interruptions)

SHRI JYOTIRMOY BOSU Butchers of democracy butchers of Democracy

SHRI SHYAMNANDAN MISHRA I am on a question of propriety if not on a question of breach of privilege of the house on the matter raised by Dr Karan Singh just now is the proposition of President's rule in Jammu and Kashmir which has been announced to the Press but has not yet been announced to the House It has not found a mention in the President's Address too So I leave it to you whether it should be construed as a breach of privilege of the House or as a breach of propriety of the House I leave it to you

MR. SPEAKER Anyway these will only be considered tomorrow When I consider all these aspects will be considered naturally Just now I am not allowing anything. I am not giving any decision now He has given notice but I have not taken any decision on that.

SHRI SHYAMNANDAN MISHRA
What about my question of breach of propriety or breach of privilege?

MR. SPEAKER I have not given any decision till now on that I will give my consideration on this issue That is all, nothing more

SHRI JYOTIRMOY BOSU Under Direction 2 sub section 31 I have given a notice under Rule 377 I would like to place it You kindly allow me one minute

MR. SPEAKER Every day I get so many notices of so many motions But unless the hon. Member is called it cannot be raised The moment a notice is given it does not mean to say that I have accepted it When I accept it I will certainly call the hon. Member Just now I have called the Finance Minister

SHRI JYOTIRMOY BOSU I assure you that I will not take more than one minute (Interruptions)

SHRI MOHD SHAFI QURESHI
The Prime Minister is here Why should he not speak? (Interruptions)

SHRI AMRIT NAHATA (Fah) Can he spell democracy?

SHRI JYOTIRMOY BOSU I have given notice Therefore in all fairness I should be given one minute

MR. SPEAKER I am not giving you one minute also If you want to speak you can speak for one hour I do not mind

SHRI JYOTIRMOY BOSU That sort of thing I never do

MR. SPEAKER But this will not be taken note of.

12 25 hrs

SUPPLEMENTARY DEMANDS FOR GRANTS (GENERAL), 1976-77

THE MINISTER OF FINANCE
AND REVENUE AND BANKING
(SHRI H M PATEL) I beg to
present a statement showing Sup-
plementary Demands for Grants in
respect of the Budget (General) for
1976-77

12 25 hrs

SHRI HARI VISHNU KAMATH
(Hoshingabad) Mr Speaker I rise
on a point of order I take my stand
on Rule 376 I read out the Rule
before the House

"(1) A point of order shall re-
late to the interpretation or en-
forcement of these rules or such
Articles of the Constitution as re-
gulate the business of the House
and shall raise a question which is
within the cognizance of the
Speaker

(2) A point of order may be rais-
ed in relation to the business be-
fore the House at the moment".

The business before the House is given
in the List of Business.

Now I would like to invite your
attention to the fact that the Consti-
tution—"ash" Constitution

MR. SPEAKER. Please tell me
what is the Point of Order and on
which subject

SHRI HARI VISHNU KAMATH
There is a universally accepted Con-
stitutional legal maxim that this
House or for the matter of that any
corporate body cannot transact its
business without the provision for a
quorum in the House Unfortunately,
there is a vacuum now

MR. SPEAKER You can raise a
point of order on an issue which is
being discussed by the House But
here there is absolutely nothing

SHRI HARI VISHNU KAMATH
The business cannot be conducted
without the provision for quorum
before the House There is a vacuum
in regard to quorum. Please refer
to the Rules of Procedure

MR. SPEAKER I know that
But there is no point of order at all
because there is no subject before
you

SHRI HARI VISHNU KAMATH
List of Business before the House is
a subject

MR. SPEAKER Are you objecting
to the Grants for the Railways?

SHRI HARI VISHNU KAMATH
The business cannot be transacted
without a provision for quorum
That is an axiom

(Interruptions)

MR. SPEAKER There is no point
of order

SHRI HARI VISHNU KAMATH
Will you please listen to me?

MR. SPEAKER Will you kindly
allow the Law Minister to explain
that?

SHRI HARI VISHNU KAMATH
I have not completed my point of
order

(Interruptions)

MR. SPEAKER The Speaker
takes a decision on a point of order
but not an hon member

SHRI HARI VISHNU KAMATH
I have not completed my point of
order yet Please listen to me

MR. SPEAKER The Law Minister
will please explain

THE MINISTER OF LAW,
JUSTICE AND COMPANY AFFAIRS
(SHRI SHANTI BHUSHAN)- I

SHRI KANWAR LAL GUPTA
(Delhi—Sadar) Sir is the hon Member prepared to resign and face the electorate? (Interruptions)

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MR SPEAKER Anyway, these will only be considered tomorrow. When I consider all these aspects will be considered naturally. Just now I am not allowing anything. I am not giving any decision now. He has given notice but I have not taken any decision on that.

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MR SPEAKER I have not given any decision till now on that. I will give my consideration on this issue. That is all nothing more.

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MR SPEAKER Every day I get so many notices of so many motions. But unless the hon Member is called it cannot be raised. The moment a notice is given it does not mean to say that I have accepted it. When I accept it I will certainly call the hon Member. Just now I have called the Finance Minister.

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MR SPEAKER I am not giving you one minute also. If you want to speak, you can speak, for one hour. I do not mind.

SHRI JYOTIRMOY BOSU That sort of thing I never do.

MR SPEAKER But this will not be taken note of.

Now, Mr H. M. Patel.

*Not recorded.

SHRI JYOTIRMOY BOSU *

12.25 hrs

SUPPLEMENTARY DEMANDS FOR GRANTS (GENERAL), 1976-77

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H M PATEL) I beg to present a statement showing Supplementary Demands for Grants in respect of the Budget (General) for 1976-77

12.25 hrs

SHRI HARI VISHNU KAMATH (Hoshingabad) Mr Speaker I rise on a point of order I take my stand on Rule 376 I read out the Rule before the House

"(1) A point of order shall relate to the interpretation or enforcement of these rules or such Articles of the Constitution as regulate the business of the House and shall raise a question which is within the cognizance of the Speaker

(2) A point of order may be raised in relation to the business before the House at the moment'

The business before the House is given in the List of Business.

Now I would like to invite your attention to the fact that the Constitution—'arsh' Constitution . . .

MR. SPEAKER Please tell me what is the Point of Order and on which subject.

SHRI HARI VISHNU KAMATH There is a universally accepted Constitutional legal maxim that this House or for the matter of that any corporate body cannot transact its business without the provision for a quorum in the House. Unfortunately, there is a vacuum now

MR. SPEAKER You can raise a point of order on an issue which is being discussed by the House. But here there is absolutely nothing

SHRI HARI VISHNU KAMATH The business cannot be conducted without the provision for quorum before the House There is a vacuum in regard to quorum Please refer to the Rules of Procedure

MR. SPEAKER I know that But there is no point of order at all because there is no subject before you

SHRI HARI VISHNU KAMATH List of Business before the House is a subject

MR. SPEAKER Are you objecting to the Grants for the Railways?

SHRI HARI VISHNU KAMATH The business cannot be transacted without a provision for quorum That is an axiom

(Interruptions)

MR. SPEAKER There is no point of order

SHRI HARI VISHNU KAMATH Will you please listen to me?

MR. SPEAKER Will you kindly allow the Law Minister to explain that?

SHRI HARI VISHNU KAMATH I have not completed my point of order

(Interruptions)

MR. SPEAKER The Speaker takes a decision on a point of order but not an hon member

SHRI HARI VISHNU KAMATH I have not completed my point of order yet. Please listen to me.

MR. SPEAKER The Law Minister will please explain

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN). 1

[Shri Shanti Bhushan]

submit that the provisions relating to quorum which were in force before the 42nd Amendment of the Constitution are still in force because those provisions of the 42nd Amendment relating to quorum have not been brought into force by the necessary notification

MR. SPEAKER This question therefore does not arise

SHRI JYOTIRMOY BOSU (Diamond Harbour) There have been extensive printing and serial numbering of duplicate ballot papers by the Government Press, Alipur Calcutta under the control of a senior IPS officer Shri Panchoo Gopal Mukherjee with a very unclean past record. Thousands of such ballot papers have been seized by the District Magistrate and others. That is a very important point. The matter has come out in the press widely and extensively. That was done for the purpose of extensive rigging on the day of polling.

MR. SPEAKER I do not know.

SHRI JYOTIRMOY BOSU I would like the hon. Law Minister to enlighten this House as to whether he knows about duplicate ballot papers having been printed and serial-numbered? If so, will he conduct an enquiry? Will he make an investigation about the printing of duplicate ballot papers in the Government Press at Alipur in West Bengal?

12.30 hrs.

SUPPLEMENTARY DEMANDS FOR GRANTS (RAILWAYS) 1976-77

THE MINISTER OF RAILWAYS (PROF. MADHU DANDAVATE) I beg to present a statement showing Supplementary Demands for Grants in respect of the Budget (Railways) for 1976-77.

SUPPLEMENTARY DEMANDS FOR GRANTS (TAMIL NADU) 1976-77

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL) I beg to present a statement showing Supplementary Demands for Grants in respect of the State of Tamil Nadu for 1976-77.

SUPPLEMENTARY DEMANDS FOR GRANTS (NAGALAND) 1976-77

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL) I beg to present a statement showing Supplementary Demands for Grants in respect of the State of Nagaland for 1976-77.

SUPPLEMENTARY DEMANDS FOR GRANTS (PONDICHERY), 1976-77

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL) I beg to present a statement showing Supplementary Demands for Grants in respect of the Union Territory of Pondicherry for 1976-77.

12.35 hrs.

RAILWAY BUDGET, 1977-78

THE MINISTER OF RAILWAYS (PROF. MADHU DANDAVATE) Mr. Speaker Sir, I rise to place before the House the annual financial statement for the Indian Government Railways showing the estimated receipts and expenditure for the year 1977-78. The estimates are for the whole of the next financial year but as the time available now before the end of this financial year, for discussion of the Demands for 1977-78 is very limited, I seek from this House for the present only a vote on account sufficient to cover the estimated expenditure for the first

four months of the financial year 1977-78 leaving the supplies for the rest of the year to be voted separately later on

Financial Results of 1975-76

2 I shall first begin with the operating results of 1975-76 the last completed financial year. The Budget for the year visualized a surplus of Rs 23.03 crores in the hope that the traffic revival noticed in the preceding year would gather momentum during 1975-76. The actual trend of materialisation of traffic in 1975-76 was better than what was expected at the time of the Budget and this was reflected in the Revised Estimates for traffic receipts. However, the increased traffic receipts were more than offset by post-budgetary liabilities amounting to Rs 152.36 crores arising mainly out of retroactive sanction of five additional instalments of dearness allowance. The net result therefore, for 1975-76 at the Revised Estimate stage was a deficit of Rs 62.81 crores against the original budgeted surplus of Rs 23.03 crores. The final accounts for the year 1975-76 indicate a deficit of Rs 61.11 crores or an improvement of Rs 1.70 crores over what was expected at the Revised Estimate stage.

Revised Estimates 1976-77

3 In the Budget Estimates for the current year 1976-77, a surplus of Rs 8.98 crores was expected after taking into account the effect of the proposals for adjustment of freight charges in respect of certain specified commodities. The current year has been for many years, the best operating year for the Indian Railways. This can be seen from the fact that during the period from April 1976 upto the end of January, 1977, 13.3 million tonnes more of originating revenue earning traffic have been loaded as compared to the corresponding period of last year. This is also about 7 million tonnes more than the loading proportional

to the original Budget Estimate. There was vigorous marketing effort, and all the goods traffic that was offered was carried by the Railways, and the outstanding registrations were very low. Power Houses, Cements Plants and other coal using industries had adequate stocks of coal right through. As regards export of iron ore the full demands were met. Movement of brick burning coal and soft coke which showed a decline in the earlier part of the year for lack of demands has picked up substantially from the month of December. The total originating loading both for the revenue earning and the non revenue traffic combined is expected to be an all time record exceeding 230 million tonnes.

4 Increase in passenger traffic during the current year has been truly phenomenal. Against 1,183 million originating suburban passengers and 915 million originating non-suburban passengers during April-December 1975 the numbers in the corresponding period this year have been 1300 million suburban and 1,137 million non-suburban, recording an increase of more than 10 per cent under the former and 24 per cent in respect of the latter. This increase is the combined effect of check of ticketless travel and all round improvement in passenger train operation. During the period April-December 1976 96 new non-suburban trains were introduced and frequency of 5 trains was increased. In addition the run of 50 pairs of non-suburban trains has been extended. The result of these changes has been an increase of over 25,000 train kilometres per day. Details are given in the booklet circulated with the budget papers.

Gross Traffic Receipts

5 On the basis of the trend of traffic, the Revised Estimate of Gross Traffic Receipts for 1976-77 has been placed at Rs 1927.55 crores or an increase of about Rs 32 crores over the Budget.

Working Expenses

6 On the working expenses side, I am glad to say that inspite of the increase in traffic over the Budgeted level the Revised Estimates record a net saving of about Rs 3 crores over the Budget as a result of better efficiency and tighter expenditure control. The actual saving could have been more but for the inescapable additional expenditure to meet the increased requirement of fuel, lubricants and other materials necessitated by higher traffic as compared with the Budget. Even though the year is expected to close with a lower net expenditure than the sanctioned Budget under all the Revenue Demands taken together, increased allocations will be required under some Demands. I am, therefore, approaching the House for Supplementary Demands for Grants where additional expenditure authorisation has been found to be necessary.

7 It is a matter of great satisfaction that the Railways are now expected to close the current financial year with a net surplus of Rs 35.67 crores as against Rs 8.98 crores surplus anticipated in the Budget. When the accounts for the year are finally closed, it is possible that the actuals might even exceed this level of surplus.

Plan Outlay for 1976-77

8 The Railways' developmental programme for 1976-77 envisaged a total outlay of Rs 417.81 crores including Rs 10 crores for the Metropolitan Transport Projects and Rs 5 crores to meet the working capital requirement for financing export orders. Due to overall financial constraints this allocation was less than what the Railway Ministry had projected as its requirement, but all the same by careful planning of the various developmental projects, including line capacity works and renewals it has been possible to maintain the plan targets within this allo-

cation, except in the case of new line constructions. In the case of new line constructions the Ministry of Finance and the Planning Commission were specially requested for an additional allotment of Rs 3 crores to keep up the progress on certain project oriented lines. This additional allocation has been agreed to and is included in the Supplementary Demands 1976-77. In respect of Rolling Stock due mainly to updating of the prices of rolling stock turned out of the Diesel Loco Works, Varanasi and the Chittaranjan Loco Works, some financial adjustments involving transfer of value from inventories to rolling stock have been found to be necessary resulting in increase in the gross expenditure under Demand 15, the net outlay remaining unaffected. I am, therefore, approaching the House for additional expenditure authorisation under Demands 14 and 15. The details are given in the Supplementary Demands for Grants.

Resumption of Indo-Pak Rail Traffic

9 An important development during the current year is the resumption of Indo-Pak rail traffic. Arising out of the joint statement signed by the Foreign Secretaries of India and Pakistan at Islamabad on 14th May 1976 the details for the restoration of rail communications across the Atari-Wagha border were worked out towards the end of June 1976. Rail communications between India and Pakistan were resumed on 22nd July 1976 with the running of a daily express train from Amritsar to Lahore and back. However, interchange of freight traffic started only from the 3rd September 1976. By the end of February 1977, more than 17,150 passengers crossed over from India to Pakistan and over 23,000 passengers from Pakistan to India. Nearly 900 wagon loads of freight traffic have also been moved to Pakistan from India. Goods traffic from Pakistan to India has, however, to pick up

General Improvement In Railway Operation

10 Before I deal with the 1977-78 Budget Estimates, it would be in order to pause and take stock of the general performance of the Railways in the financial year which will end in a few days. Noticeable improvement in railway operation commenced from 1975-76 and has been further consolidated in the current year. There has been general appreciation of the unprecedented improvement in railway working. I might mention briefly that in almost all spheres of railway working the Railways have excelled the best norms that they had ever achieved before. The menace of unauthorised travel agents and anti-social elements indulging in malpractices in seat reservation has been largely eliminated. At large stations booking and reservation counters have been increased and the long queues have now been reduced considerably. Additional long distance fast trains have been introduced and overcrowding has been reduced substantially not only as a result of additional trains but also by a continued watch on ticketless travellers. Cleanliness in trains and at railway stations has improved, substantial improvement has also been made in the railway catering service. Punctuality of trains, which was only in the region of about 65 per cent prior to 1975, has registered spectacular improvement. Even as compared to 1975-76 the percentage of trains not losing time has recorded an improvement and the average of trains maintaining punctuality is at present well over 90 per cent.

11 Apart from the welcome improvement in the punctuality of passenger train services, the current year also witnessed introduction of a number of super fast long-distance Mail and Express trains to connect important State Capitals and cities. Some of these super fast trains, such as the Tamilnadu Express, the Karnataka Kerala Express, the Jammu Tawi-Bombay Express and the Gomti Ex-

press have considerably reduced the journey time and have made travel comfortable. It has been possible to introduce these trains without any substantial additions to the facilities existing at the various terminal points and also without affecting the growth of the freight traffic, which is essential to the growth of the economy of the country and for the viable working of the Railways. It has to be mentioned in this connection that many of our important terminals like Delhi, Bombay, Calcutta and Madras are now reaching a saturation limit and that additional facilities will have to be planned and provided to cater for increased passenger traffic.

Railway Convention Committee

12 Due to dissolution of the Fifth Lok Sabha on 18-1-1977, the Convention Committee's recommendations for 1977-78 are not available to Government. Consequently, the computation of dividend to General Revenues has been made on the basis of the recommendations made by the Railway Convention Committee 1973 for the year 1978-79 as approved by Parliament. The appropriation to Depreciation Reserve Fund has been proposed at Rs 140 crores for the year 1977-78 as against Rs 135 crores made during 1976-77. This increase was fully accepted by the Committee in the course of their discussions with the Ministry. Their earlier recommendations for relief in certain specified areas requiring consultation with the concerned Ministers etc., are being pursued so that the Railways may obtain some desired financial relief on account of the various social obligations.

13 In their recommendations for 1976-77, the Railway Convention Committee had by and large continued the earlier concessions. Additionally, they had also accepted the suggestion that the cost of staff quarters sanctioned for construction during the Fifth Plan period may be allocated to Capital instead of the Development Fund.

[Prof Madhu Dandavate]

the Railways being liable for payment of dividend to General Revenues on such capital only if they are able to meet their other dividend obligations in full. As it is expected that the Railways will earn a net surplus during the two years 1976-77 and 1977-78 the dividend payable to General Revenues includes the dividend liability in respect of the cost of staff quarters chargeable to Capital in terms of the Railway Convention Committee's recommendation.

Budget Estimates 1977-78

14 I shall now deal with the Budget Estimates for 1977-78. The Gross Traffic Receipts for the year at the existing level of rates and fares are estimated at Rs 20144 crores recording an increase of about Rs 104 crores over the Revised Estimate for the current year. The increase in the traffic receipts is based on an estimated 6% growth under 'passengers' and an originating revenue-earning freight traffic target of 217 million tonnes.

15 The ordinary working expenses (net) have been placed at Rs 163575 crores involving increase of about Rs 87½ crores over the Revised Estimate for the current year. The higher provision takes into account the effect of annual increments to the staff and full year's effect in 1977-78 of the implementation of Miahboy Award upgradation of posts and removal of anomalies etc. Increased provision has also been made for maintenance of track rolling stock and other equipment apart from additional fuel requirement to meet the demands of the higher traffic expected to be moved during 1977-78 as compared with the current year. The details of the additional provisions made under various Demands are given in the Explanatory Notes under each Demand in the Demands for Grants.

16 As mentioned earlier increased provision has been made for appropriation to the Depreciation Reserve Fund. Appropriation to Pension Fund

has also been increased by Rs 5 crores over the current year to meet the expected withdrawal from the Fund for payment of pension to retired pensionable railway employees. The liability for payment of dividend to General Revenues for 1977-78 works out to Rs 22556 crores against the current year's Revised Estimates of Rs 21130 crores, on the basis of the recommendations of the Railway Convention Committee 1973.

Financial Results

17 Taking into account the various provisions made in the Budget for 1977-78 as presented to the House the Railways are expected to earn a net surplus of Rs 2645 crores, and this sum is proposed to be transferred fully to the Railway Development Fund. Thus we hope to earn for the second year in succession, a net surplus after payment of Dividend to General Revenues. Despite the net surplus aggregating over Rs 62 crores accepted to be realised in the two years the Railways indebtedness to the General Revenues on account of temporary loans obtained for Development Fund and Revenue Reserve Fund expenditure is expected to be of the order of Rs 47718 crores at the end of 1977-78. It may be recalled that the Budget for 1976-77 envisaged the Railway indebtedness as on 31-3-1977 to be Rs 49150 crores. According to the Revised Estimates, this figure is expected to be reduced to Rs 46199 crores at the end of the current year. The balance of Rs 47718 crores as on 31-3-1978 in terms of the Budget for 1977-78 is a sizable debt and it would be our endeavour to see that it is contained within reasonable limits if not reduced.

The Railway Freight Structure Enquiry Committee

18 In spite of the heavy indebtedness of the Railways I am not bringing forward any proposals for increase of freight rates and fares. The present freight structure is largely based on the recommendations made by a High Power Committee appointed in

1955 The Public Accounts Committee (1974-75) have given a recommendation in their 148th Report that the Railways should undertake rationalisation of the tariff Pursuant to this recommendation the Government have decided to appoint a high power Expert Committee to study the problem comprehensively and make suitable recommendations in the matter

Plan Outlay For 1977 78

19 As a result of discussions held with the Planning Commission and the Ministry of Finance the Plan allocation of Rs 501 crores has been agreed to for 1977 78 to enable the Railways to provide inputs for building up the originating freight loading target of 250/260 million tonnes by 1978 79 the last year of the Fifth Five Year Plan This allocation includes Rs 10 crores for the Metropolitan Transport Projects at Bombay, Calcutta Delhi and Madras In addition, a sum of Rs 280 crores has been provided to enable the production units of the Railways to meet their working capital requirement in respect of export orders The share of new lines and restorations is Rs 23.58 crores and of electrification projects Rs 19 crores I am aware of the need for railway development without any delay in certain backward regions of Konkan Orissa, Madhya Pradesh North Eastern part of the country and other backward areas I will initiate necessary steps in this connection

Staff Relations

20 The year 1975 76 witnessed normalcy in staff relations The performance of the Railways during the current year is a testimony to the high calibre of men and women employed at all levels on the Railways and their unfailing commitment to the tasks assigned to them The collective bargaining evolved on the Railways over the years has to be reactivated and it will be my constant endeavour to seek the cooperation of the trade union machinery in this task I will strive to introduce a new element of

dynamism in the management labour relationship

21 Certain anomalies arising out of the implementation of the Pay Commission recommendations were referred to a joint committee of labour and management and an agreement was finally reached and is under implementation A number of non-gazetted posts have been upgraded on the Railways to increase promotional opportunities for the staff A tribunal has also been set up for reclassification of the workshop and artisan staff according to the job content I will strive to seek the cooperation of labour to improve the results

22 All the Railway employees who were either suspended or dismissed as a sequel to their participation in the Railway strike in May 1974 will be reinstated unconditionally

SHRI MOHD SHAFI QURESHI (Anantnag) This is George Fernandes rehabilitation

SHRI VASANT SATHE (Akola) So that they can repeat it Go ahead

THE MINISTER OF WORKS AND HOUSING AND SUPPLY AND REHABILITATION (SHRI SIKANDAR BAKHT) Ministers are not going to be reinstated

PROF MADHU DANDAVATE This is in consonance with the stand I have consistently taken in this House in the past and the pledge I have given to the working class

23 In this context I should like to inform the House that concrete steps have been taken for labour participation in management Apart from shop councils formed in the production units with management and labour representatives the scheme of workers participation has been extended to commercial and service organisations having large public dealings As an experimental measure Station Committees have been set up in Bombay Madras and Delhi in which representatives of organised labour are associated with the objective

[Prof Madhu Dandavate]

of providing better service to the customers

24 In view of the impressive results achieved by the Railways in the current year and the expectation of an equally successful next financial year, the House will no doubt appreciate the unstinted cooperation and total dedication to duty displayed by railway employees at all levels. It is also a matter of satisfaction that a surplus budget could be presented for the year 1977-78 without any increase in fares and freight rates. I am confident that the Railways will continue to get the full support of the House, cooperation from the public and dedicated service from all employees.

12.55 hrs

GENERAL BUDGET, 1977-78

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL), Sir, I rise to present the Budget to this august House.

The Budget and the demands for grants that are being made available to Honourable Members were prepared on the basis of the directions given by the previous Government. I would like to make it clear at the outset that though these have been circulated, they do not reflect our philosophy, policies, and programmes.

2 There was no time since we assumed office to recast these estimates and to print the Budget documents afresh. The annual financial statement and the demands for grants prepared earlier will serve the limited purpose of fulfilling the Constitutional requirements for taking a Vote on Account before the 31st March, 1977. This will enable Government to meet essential expenditure during the first four months of the ensuing financial year.

3 The Budget for the current financial year presented in March, 1976

envisaged an overall deficit of Rs 328 crores. Due to certain increases in expenditure, partly offset by improvement in receipts, the year is expected to close with a deficit of Rs 425 crores. It is not necessary for me to take you over the various details of the budgetary developments during the current year for which the present Government can obviously assume no responsibility.

4 According to the Budget as prepared while total receipts are expected to go up during the year 1977-78 to Rs 14,910 crores as compared with the figure of Rs 13,759 crores in the Revised Estimates for 1976-77, expenditure for the ensuing year is estimated at Rs 15,542 crores as against the current year's Revised Estimate of Rs 14,184 crores. This position has resulted from an increase in both non-Plan and Plan expenditure.

5 The Central Sector of the Plan for 1977-78 involves an outlay of Rs 5,053 crores and will make a draft on the Central Budget of Rs 4,096 crores. This compares with the preceding year's (1976-77) outlay of Rs 4,090 crores and a budgetary support of Rs 3,347 crores at the Budget stage. Central assistance to States and Union Territories, and for various programmes concerning the Hill and Tribal areas, the North Eastern Council and Rural Electrification Corporation as well as the Andhra Six Point Formula amounts to Rs 1,692 crores according to these estimates for the year 1977-78. The corresponding figure for the current year is Rs 1,412 crores. Taking Centre States and Union Territories together, the Budget envisages a total Plan outlay for 1977-78 of Rs 9,953 crores as compared with Rs 7,852 crores in the Budget Estimates of 1976-77.

13.00 hours

6 The net effect of the proposals made in the Budget would be an overall deficit of Rs 1,432 crores. However, the Budget takes credit for special borrowings of the order of

Rs 800 crores against drawal of foreign exchange reserves, the assumption being that such borrowing would be non-inflationary as it is covered by increased imports of goods. Accordingly the Budget document shows a net deficit of Rs 632 crores.

7 In the context of the rise in the whole-sale price index of 125 per cent that has occurred since March 1976 any deficit financing has to be viewed with concern. In order to reverse the rising trend of prices and to usher in a period of reasonable price stability the Government are of the firm view that financing of public expenditure in a manner which would generate inflationary pressures should be eschewed. It is our firm resolve to review the Fifth Plan and to revise the Budget Estimates so that they reflect our thinking and priorities. We propose to complete this exercise in time for the regular Budget which will be presented in May 1977.

8 Meanwhile I have asked my Ministry to request all Ministries, Departments and Public Sector Undertakings under the control of the Central Government not to take up new schemes and not to enter into fresh major commitments till we have completed our review. The possibility of rephrasing and re-scheduling continuing schemes would also be explored. All Ministries and Departments of Government and Public Sector Agencies will be asked to observe the utmost economy in expenditure keeping in view the present Government's emphasis on austerity and avoidance of all forms of ostentation.

9 It is the will of the people of India as expressed unequivocally at the Polls, that there is an urgent

need to redirect our economic policies and priorities so as to ensure that economic growth subserves the objective of speedy eradication of poverty and unemployment and a progressive reduction in inequalities of income and wealth. The House may rest assured that we shall keep our faith with the people. The task ahead is formidable but with the willing support and goodwill of the people we are confident that we shall achieve our objective.

13 05 hrs

FINANCE BILL 1977*

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL) Sir, I beg to move for leave to introduce a Bill to continue for the financial year 1977-78 the existing rates of income-tax with certain modifications and to provide for the continuance of the provisions relating to auxiliary duties of customs and excise and the discontinuance of the duty on salt for the said year.

MR SPEAKER The question is,

That leave be granted to introduce a Bill to continue for the financial year 1977-78 the existing rates of income tax with certain modifications and to provide for the continuance of the provisions relating to auxiliary duties of customs and excise and the discontinuance of the duty on salt for the said year."

The motion was adopted

SHRI H. M. PATIL I introduce** the Bill

*Published in Gazette of India extraordinary Part II section 2 dated 23-3-1977

**Introduced with the recommendation of the Vice-President acting as President.

13 07 hrs

TAMIL NADU BUDGET 1977-78

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H M PATEL) I beg to lay on the table of the House the Annual Financial Statement of the State of Tamil Nadu for the financial year 1977-78

Statement

2 The Budget Estimates for 1976-77 envisaged a revenue deficit of Rs 532 crores and closing cash balance of minus Rs 298 crores. In the Revised Estimates the revenue deficit is estimated at Rs 1278 crores with a closing cash balance of minus Rs 118 crores. The major factor which has led to the increase in the revenue deficit is the expenditure on drought relief and flood relief. The Plan and Non-Plan expenditures on drought relief have been Rs 2752 crores. Rs 41 crores will be spent on flood relief. The total expenditure of Rs 3162 crores on the relief for natural calamities has been covered to the extent of Rs 1875 crores by way of advance Plan assistance from the Centre.

3 The approved Plan outlay for the current year was Rs 201 crores. It is now anticipated that Plan expenditure will be of the order of Rs 227 crores in 1976-77.

4. In the Budget as now proposed for 1977-78, the revenue receipts are estimated at Rs 63591 crores and the expenditure on revenue account at Rs 64581 crores resulting in a revenue deficit of Rs 990 crores. The capital expenditure in 1977-78 has been estimated at Rs 6269 crores.

5 A Plan outlay of Rs 260 crores has been approved for 1977-78. The provisions in the Plan for major sectors are: Power—Rs 95 crores, Irrigation—Rs 25 crores, Agriculture and allied sectors—Rs 30 crores, Industry—Rs 14 crores, Transport and Communications—Rs 24 crores, Water

Supply and Sewerage—Rs 25 crores, Education—Rs 13 crores, Housing and Urban Development—Rs 16 crores, and other social and economic services—Rs 18 crores.

6 The overall effect of the transactions on the Revenue, Capital and Loan accounts will result in a closing cash balance of minus Rs 1392 crores at the end of 1977-78. Government will endeavour to fully eliminate this deficit through a variety of measures including economies, better collection of taxes and other dues to Government and by improving the financial performance of the public sector Corporations. We can also expect a measure of buoyancy in receipts due to better fiscal discipline and improved efficiency in the operations of Government provided seasonal conditions are reasonably normal. Specific targets for economy will be formulated and implemented in all departments of Government. Similarly, intensive reviews have been undertaken of the financial performance of public sector undertakings and improved surpluses on their part will be planned for and achieved during the year.

7 At present we are seeking a 'Vote-on Account' for five months on the basis of the Annual Financial Statement placed before the House.

SHRI HARI VISHNU KAMATH (Moshangabad) Does the Government propose to end President's Rule in Tamil Nadu and hold fresh elections there?

MR SPEAKER I do not think the hon Finance Minister will be able to answer that question now.

NAGALAND BUDGET, 1977-78

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H M PATEL) I beg to lay before the House the annual financial statement of the Government of Nagaland for the financial year commencing from 1st April, 1977.

Statement

The House is aware that the functions and powers of the Legislative Assembly of the State of Nagaland are at present exercisable by Parliament. Accordingly, with your permission, Sir, I beg to lay before the House the annual financial statement of the Government of Nagaland for the financial year commencing from 1st April, 1977.

2 Revenue receipts of the State in 1977-78 are estimated at Rs 57.99 crores and expenditure on revenue account, at Rs 49.31 crores, resulting in a revenue surplus of Rs 8.68 crores. The capital account, however, shows a deficit of Rs 5.22 crores. Thus, in the overall, there will be a surplus of Rs 3.46 crores. As against Rs 17.70 crores in 1976-77, the estimates for 1977-78 provide for a Plan Outlay of Rs 19.27 crores, comprising Rs 6.33 crores for agriculture and allied services, Rs 1.40 crores for water and power development, Rs 5.26 crores for transport and communications, Rs 5.15 crores for social and community services and Rs 1.13 crores for other services like industry, etc.

3 Sir, at present we are seeking a 'Vote-on-Account' for five months on the basis of the estimates which I have just laid before the House.

13.65 hrs

PONDICHERRY BUDGET, 1977-78

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): I beg to lay before the House the annual financial statement of the Union Territory of Pondicherry showing the estimated receipts and expenditure of the territory in relation to the financial year 1977-78.

Statement.

The House is aware that the functions and powers of the Legislative Assembly of the Union territory of Pondicherry are at present exercisable by Parliament. Accordingly, with your permission Sir, I beg to lay before the House the annual financial statement of the Union territory, showing the estimated receipts and expenditure of the territory in relation to the financial year 1977-78.

2 In the Revenue Account of the Union territory, receipts in 1977-78 are estimated at Rs 13.90 crores and expenditure at Rs 20.05 crores, leading to a deficit of Rs 6.15 crores, which will be met by grant in aid from the Centre. On Capital Account, the estimates reveal a deficit of Rs 4.38 crores, which will be met by obtaining loans from the Government of India. The estimates for 1977-78 provide for an outlay of Rs 8.33 crores on the Plan of the Union territory as compared to Rs 7.25 crores in 1976-77. Sectoral distribution of the contemplated Plan outlay is given in the Explanatory Memorandum which is being made available to the Honourable Members.

3 On the basis of these estimates Sir, we are, for the present, seeking a Vote on Account for the first five months of the year commencing on 1st April, 1977.

MR SPEAKER The House stands adjourned till 11.00 A.M. tomorrow.

13.10 hrs

The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, March, 29, 1977/Chaitra 8 1899 (Saka)

C O N T E N T S

No 4—Tuesday, March 29, 1977/ Chaitra 8, 1899 (Saka)

COLUMNS

Members Sworn	1
Introduction of Ministers	1
Re Motion for Adjournment	2—3
Papers laid on the Table	3—6
Assent to Bills	6—8
Railway Budget, 1977-78 and Demands for Grants on Account (Railways), 1977-78	8—85
Shri S Kundu	20—26
Shri T A Pai	26—31
Shri Samar Mukherjee	31—35
Dr Subramaniam Swamy	35—40
Shri Mohd Shafi Qureshi	40—53
Prof Shubban Lal Saksena	53—55
Shri R Mohanaragam	55—58
Shri D N Tiwary	58—63
Shri M Kalyanasundaram	63—68
Prof Madhu Dandavate	68—84
Panel of Chairmen	57
Appropriation (Railways) Vote on Account Bill, 1977—	
Motions to introduce, consider and pass	
Prof Madhu Dandavate	85—86
Supplementary Demands for Grants (Railways), 1976-77—	
Moved and Passed	87—88
Appropriation (Railways) Bill, 1977—	
Motions to introduce, consider and pass	
Prof Madhu Dandavate	89—90

General Budget, 1977-78 and Demands for Grants on
Account, 1977-78—

	90—157
Shri C. Subramaniam	99—125
Shri R. K. Amin	125—128
Shri Somnath Chatterjee	128—136
Shri A. C. George	136—141
Dr. Subramaniam Swamy	141—151
Shri Aravinda Bala Pajunor	151—158, 240

Motion for Adjournment—

Dissolution of Jammu & Kashmir State Legislative Assembly—	159—240
Dr. Karan Singh	159—166, 237—239
Shri Madhu Limaye	166—178
Shri C. M. Stephen	178—184
Shri K. S. Hegde	184—188
Shri Abdul Ahad	188—190
Shri Jyotirmoy Bosu	190—193
Shri Mohd. Shafi Qureshi	193—206
Shri Atal Bihari Vajpayee	206—212
Shri Vasant Sathe	212—216
Shri Shyamnandan Mishra	216—221
Shrimati Akbar Jahan Begum	221—231
Shri Charan Singh	231—237

LOK SABHA DEBATES

I

2

LOK SABHA

Tuesday March 29 1977/Chaitra 8
1899 (Saka)

The Lok Sabha met at Eleven of the
Clock

[MR. SPEAKER in the Chair]

MEMBERS SWORN

Chaudhari Charan Singh (Baghat)

Shri Shyam Sunder Gupta (Barh)

Shri Sidrameshwara Swamy Basayya
(Koppal)

Shri Hopingstone Lyngdoh (Shillong)

11 05 hrs.

INTRODUCTION OF MINISTERS

THE PRIME MINISTER (SHRI
MORARJI DESAI) I introduce to
the House members of the Council of
Ministers

Shri Charan Singh

Shri Lal K Advani

Shri Shanti Bhushan

Shri H. M. Patel

Shri Purushottamlal Kaushik

Shri Raj Narain and

Shri Bijayananda Pattanayak.

11 06 hrs.

Re MOTION FOR ADJOURNMENT

MR SPEAKER Regarding the
adjournment motion would you like
to say something?

DR KARAN SINGH (Udhampur)
I would like to urge that it may be
taken up as quickly as possible

MR. SPEAKER Yes I have ad-
mitted it But the House would like
the Government to say something

(Interruptions)

Please listen I am now in the midst
of an Adjournment Motion

SHRI JYOTIRMOY BOSU (Dia-
mond Harbour) I have also written
on the adjournment motion itself Sir
I have written about it

MR. SPEAKER I have not seen
it till now I do not know when you
gave I have not seen it i.e., on the
adjournment motion on Kashmir

SHRI JYOTIRMOY BOSU I want
to make a submission on the adjourn-
ment motion on which you were
good enough to make an observation.

MR. SPEAKER Mr Bosu, you
will have time When I admit it,
you will have ample time We will
begin discussing it At that time
you can certainly say something
Now those in favour of the adjourn-
ment motion may please rise in
their seats Yes now it is
admitted We will take up the dis-
cussion after the Budget Demands
are passed It may be at 5 or 530
PM I do not know After all, you
know about the urgency of the
Demands. Normally such a motion

[Mr Speaker]

is taken up at 4 PM But there is pressure of work We will have to send the Demands to the Rajya Sabha But we will adjust the time It is only a matter of adjustment and it is admitted We will take up the discussion It may be at 5 or 530 PM But it does not matter We will sit for an extra hour

1108 hrs

PAPERS LAID ON THE TABLE

PROCLAMATION ORDER & REPORT RE STATE OF ORISSA PROCLAMATIONS RE ORISSA AND GUJARAT AND NOTIFICATION UNDER TAMIL NADU URBAN LAND (CEILING & REGULATION) ACT 1976

गृह मंत्री (चौधरी बरण सिंह) अध्यक्ष महोदय मैं आपकी इजाजत में निम्नलिखित कागजात सदन की मंजू पर रखता हूँ :—

(1) A copy of the Proclamation (Hindi and English versions) dated the 16th December 1976 issued by the President under article 356 of the Constitution in relation to the State of Orissa published in Notification No GSR 923(E) in Gazette of India dated the 16th December 1976 under article 356(3) of the Constitution

(2) A copy of the Order (Hindi and English versions) dated the 16th December 1976 made by the President in pursuance of sub-clause (i) of clause (c) of the above Proclamation published in Notification No GSR 924(E) in Gazette of India dated the 16th December 1976

(3) A copy of the Report dated the 13th December 1976 of the Governor of Orissa to the President (Hindi and English versions) [Placed in Library See No LT-8/77]

(4) A copy of the Proclamation (Hindi and English versions) dated the 29th December 1976 issued by the President under clause (2) of article 356 of the Constitution

revoking the Proclamation issued by him on the 16th December 1976 in relation to the State of Orissa published in Notification No GSR 957(E) in Gazette of India dated the 29th December 1976 under article 356(3) of the Constitution

(5) A copy of the Proclamation (Hindi and English versions) dated the 24th December 1976 issued by the President under clause (2) of article 356 of the Constitution revoking the Proclamation issued by him on the 12th March, 1976 in relation to the State of Gujarat published in Notification No GSR 944(E) in Gazette of India dated the 24th December 1976 under article 356(3) of the Constitution [Placed in Library See No LT 9/77]

(6) A copy of Notification No GSR 868(E) (Hindi and English versions) published in Gazette of India dated the 5th November 1976 containing the Order of the President relating to suspension of article 31 of the Constitution in relation to proceedings etc under the Tamil Nadu Urban Land (Ceiling and Regulation) Act 1976 for the period of operation of the Proclamation of Emergency made under clause (1) of article 352 of the Constitution on the 3rd December 1971 and on the 25th June 1975 under clause (3) of article 359 of the Constitution. [Placed in Library See No LT-10/77]

SHRI JYOTIRMAY BOSU (Diamond Harbour) I am on a point of order under Direction 2 sub-section (6) i.e. on a question involving a breach of privilege I have given a notice Sir I shall be failing in my duty if I do not try and assist you in the matter and draw your attention to the fact. According to your direction the privilege motion should come next to the adjournment motion I have given a privilege motion against Mr T N Kaul who was once upon a time an Ambassador to the United States He

has been telling untrue things about political detenus in this country. He has said in telecast and television interviews that the political detenus MPs etc are interned in their own homes. That is a very serious breach of privilege.

MR SPEAKER I do not think anybody need support or oppose it at this stage. I have got it. I have read it. But before deciding whether we should admit it we should get some information from the government. I cannot straightway admit it. You are a very senior Member of this House. You should not also raise the matter like this. I will certainly give you opportunity. I am referring it to the government to find out the truth about it. They must also be in the know of facts. If we raise it they will have to answer. Therefore I am referring it to the government. I have just received it. Maybe perhaps tomorrow we will get the real facts about it and then certainly I will look into it. (Interruptions) Maybe so. Everybody will have a right to do that.

SHRI JYOTIRMOY BOSU I will wait Sir.

MR SPEAKER Thank you. Now Mr H M Patel.

—

11 09 hrs.

PAPERS LAID ON THE TABLE—
contd

NOTIFICATIONS UNDER CUSTOMS TARIFF ACT 1975 AND UNDER CUSTOMS ACT 1962 AND A STATEMENT RE REASONS FOR DELAY IN LAYING THE ANNUAL REPORT OF UFGIC LTD, MADRAS FOR 1974

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H M PATEL) I beg to lay on the Table—

(1) A copy each of the following Notifications (Hindi and English

versions) under sub section (2) of section 8 read with sub-section (3) of section 7 of the Customs Tariff Act 1975—

(i) GSR 870(E) published in Gazette of India dated the 6th November 1976 making certain amendment to the Second Schedule to the Customs Tariff Act 1975

(ii) GSR 877(E) published in Gazette of India dated the 13th November 1976 making certain amendment to the Second Schedule to the Customs Tariff Act 1975

(iii) GSR 13(E) published in Gazette of India dated the 12th January 1977 making certain amendment to the Second Schedule to the Customs Tariff Act 1975

(2) A copy of Notification No GSR 14(E) (Hindi and English versions) published in Gazette of India dated the 12th January 1977 under section 159 of the Customs Act 1962 together with an explanatory memorandum. [Placed in Library See No LT 11/77]

(3) A statement (Hindi and English versions) showing reasons for delay in laying the Annual Report* of the United India Fire and General Insurance Company Limited Madras for the year 1974 and a Review by the Government on the working of the said Company [Placed in Library See No LT-12/77]

11.51 hrs.

ASSENT TO BILLS

SECRETARY GENERAL Sir I lay on the Table following five Bills passed by the Houses of Parliament

*The Report was laid on the Table on the 4th November, 1976

[Secretary-General]

during the Eighteenth Session of Fifth Lok Sabha and assented to —

(1) The Appropriation (Railways) No 4 Bill, 1976

(2) The Appropriation (Railways) No 5 Bill, 1976

(3) The Appropriation (No 7) Bill 1976

(4) The Gujarat Appropriation (No 2) Bill, 1976

(5) The Pondicherry Appropriation (No 4) Bill, 1976

2. I also lay on the Table copies duly authenticated by the Secretary-General of Rajya Sabha of the following three Bills passed by the Houses of Parliament during the Eighteenth Session of Fifth Lok Sabha and assented to —

(1) The House of the People (Extension of Duration) Amendment Bill, 1976

(2) The Electricity (Supply) Amendment Bill, 1976

(3) The Constitution (Forty-second Amendment) Bill, 1976

11 10 hrs.

RAILWAY BUDGET, 1977-78 AND DEMANDS FOR GRANTS* ON ACCOUNT (RAILWAYS) 1977-78

MR. SPEAKER We will now take up the General Discussion on the Railway Budget

Motion moved

"That the respective sums not exceeding the amounts shown in the third column of the Order Paper, be granted to the President out of the Consolidated Fund of India on account for or towards defraying the charges during the year ending on the 31st day of March, 1978 in respect of the heads of demands entered in the second column thereof against Demands Nos 1 to 11 11A, 12 to 16, 21 and 22"

*List of Demands for Grants on Account (Railways) for 1977-78 submitted to the
Vote of Lok Sabha*

No of Demand	Name of Demand	Amount of Demand for Grant on Account
1	2	3
1	Railway Board	84 24 000
2	Miscellaneous Expenditure	4,05,33,000
3	Payments to Worked Lines and others	15 56,000
4	Working Expenses—Administration	52 79,80,000
5	Working Expenses—Repairs and Maintenance	221,48,94,000
6	Working Expenses—Operating Staff	112 91,45,000
7	Working Expenses—Operation (Fuel)	109,28,16 000
8	Working Expenses—Operation other than Staff and Fuel	36,53,76 000

*Moved with the recommendation of the Vice-President acting as President

1	2	3
9	Working Expenses—Miscellaneous Expenses	19,58,56,000
10	Working Expenses—Staff Welfare	19,10,53,000
11	Working Expenses—Appropriation to Depreciation Reserve Fund	46,66,67,000
11A	Working Expenses—Appropriation to Pension Fund	13,33,33,000
12	Dividend to general Revenues and Contribution for Grants to States in lieu of Passenger Fare Tax	6,02,13,000
13	Open Line Works (Revenue)	2,99,95,000
14	Construction of new Lines—Capital and Depreciation Reserve Fund	17,27,44,000
15	Open Line Works—Capital Depreciation Reserve Fund and Development Fund	423,27,15,000
16	Pensionary Charges—Pension Fund	12,80,32,000
21	Appropriation to accident Compensation Safety and Passenger Amc sties Fund	3,07,61,000
22	Accident Compensation, Safety and Passenger Amenities Fund	1,76,33,000

SHRI KANWAR LAL GUPTA (Delhi Sadar) What is the time alotted for the railway budget and for the general budget?

MR. SPEAKER We have to pass them today. We will have two hours for the railway budget We will have ample time to discuss the various points on the discussion on the President's Address on the 1st, 2nd and 3rd Further, the general budget will be there in the month of May For the present I would appeal to the Members on both the sides to pass these Demands by the evening today so that it may go to the Rajya Sabha tomorrow If you help me it is all right. If you want a little more time I have no objection

SHRI C SUBRAMANIAM (Palani) It should not be rushed through like this. We cannot pass everything today Because, in the general budget, there are some points which we want to raise

MR. SPEAKER How much time do you require for the railway budget?

SHRI C SUBRAMANIAM I was saying that for the general budget, more time may be allotted.

MR. SPEAKER We will allot two hours for the railway budget

SHRI SHYAMNANDAN MISHRA (Begusarai) Sir, yesterday you were pleased to observe that you would consider some of the points that we had made yesterday

MR. SPEAKER Are you referring to something under rule 377?

SHRI SHYAMNANDAN MISHRA Yesterday I had drawn your attention to a question of propriety as also a question of breach of privilege and you were pleased to observe that you would give some thought to this matter and come today and tell the House about your view in the matter

MR. SPEAKER I do not know, I am not very clear about it. Are you referring to the adjournment motion?

SHRI SHYAMNANDAN MISHRA My submission was that the imposition of President's Rule on Jammu and Kashmir was announced to the whole world but the House was not informed about it. That constituted, in my view, a quesetion of propriety if you so please also a question of

[Shri Shyamnandan Mishra]

breach of the privilege of the House. You were pleased to observe that you would give some thought to the matter and come to the House today and give your ruling

MR SPEAKER I would suggest that you raise this issue also along with the other points when we discuss this subject. Then the Government would be in a position to give the reply

AN HON MEMBER It is a special issue

MR. SPEAKER I know it is a special issue. The question is whether Government is ready to give a reply. It is true I said yesterday that I will give my thought to this matter.

SHRI SHYAMNANDAN MISHRA
But it must be treated separately

SHRI VASANT SATHE (Akola)
The explanation should be laid on the Table. It should not be confused with the discussion on the adjournment motion. Government must lay the Proclamation and the reasons for the same on the Table. Government have already announced them to the world outside and not to the House. That is the complaint.

SHRI J. RAMESHWARA RAO (Mahbubnagar) There is a convention that when the House is in session if any important announcements are to be made the House should first be informed of them before they are released to the press. That is what my colleague Shri Shyamnandan Mishra is drawing your attention to. It has nothing to do with the adjournment motion.

PROF SHIBBAN LAL SAKSENA (Maharajganj) I have given notice of some cut motions.

MR. SPEAKER I was dealing with them. But in between came this demand.

Has the Prime Minister anything to say on this point?

THE PRIME MINISTER (SHRI MORARJI DESAI) If you want me to say something on this now, I will say it. In any case during discussion on the adjournment motion I will have to say why this was done. So, I would not refer to that now. This was an action taken by the Governor of Jammu and Kashmir. I have been advised by the Law Ministry Law Minister, that it has to be laid before the Assembly and not in Parliament here. I am examining it further. (Interruptions)

SHRI MOHD SHAFI QURESHI (Anantnag) Where is the Assembly? The Prime Minister should know that the Assembly has been dissolved.

SHRI K. LAKKAPPA (Tumkur)
How can the Governor dissolve the Assembly?

SHRI MORARJI DESAI Now I say that we have been told that it is not necessary to lay it on the Table of the House here and that it need be laid only in the legislature there. (Interruptions)

SHRI K. LAKKAPPA. It is the most unconstitutional thing that the Prime Minister is submitting here.

SHRI MORARJI DESAI After President's Rule is declared it will come here and not go before the Legislature. This is what I was advised. If the advice is not proper I will examine it again. If it is wrong, I will make amends for it.

MR. SPEAKER The Assembly is no more there. Therefore it cannot be placed before the Assembly. The Prime Minister has agreed to get it examined further and make amendment. I think it is a very fine gesture. We shall now go to the next item.

SHRI SHYAMNANDAN MISHRA
I may point out for the consideration of the Prime Minister that the Gov-

stitution of Jammu and Kashmir also makes it abundantly clear that the proclamation has to be issued with the concurrence of the President of India

MR SPEAKER He says that he will examine it further and make amendments I think Mr Mishra should leave it there

I would now request hon Members to move their cut motions

PROF SHIBBAN LAL SAKSENA What about the cut motions given notice of today?

MR SPEAKER Normally you should give the previous day However I will waive the rule and allow you to move the cut motions

The cut motions are taken as received

SHRIMATI PARVATHI KRISHNAN (Coimbatore) I beg to move

That the Demand for Grant on Account under the head Railway Board be reduced to Re 1

[Need to abolish the Railway Board (1)]

That the Demand for Grant on Account under the head Railway Board be reduced to Re 1

[Failure to concede the just major demands of Railwaymen which were put forward by the National Coordination Committee of Railwaymen's Struggle in February 1974 (2)]

That the Demand for Grant on Account under the head Railway Board be reduced to Re 1

[Failure to provide adequate cover to Railway Platforms in Kerala where there is heavy monsoon (3)]

That the Demand for Grant on Account under the head Railway Board be reduced to Re 1

[Need to absorb all catering staff in permanent posts (4)]

That the Demand for Grant on Account under the head Railway Board be reduced to Re 1

[Failure to provide adequate housing to all railway employees especially in smaller stations (5)]

That the Demand for Grant on Account under the head Railway Board be reduced to Re 1

[Need to upgrade a further number of posts of Class II III and IV employees (6)]

That the Demand for Grant on Account under the head Railway Board be reduced to Re 1

[Need to abolish the practice of social burdens in freight structure (7)]

That the Demand for Grant on Account under the head Railway Board be reduced to Re 1

[Failure to prevent the frequent accidents in recent months (8)]

That the Demand for Grant on Account under the head Railway Board be reduced to Re 1

[Need to man all railway level crossings and thus prevent further accidents (9)]

That the Demand for Grant on Account under the head Railway Board be reduced to Re 1

[Failure to grant recognition to NE Railway Mazdoor Union (10)]

That the Demand for Grant on Account under the head Railway Board be reduced to Re 1

[Failure to restore recognition to SE Railwaymen's Union (11)]

[Shrimati Parvathi Krishnan]

"That the Demand for Grant on Account under the head 'Railway Board' be reduced to Re 1"

[Need to provide adequate railway lines in economically backward areas (12)]

That the Demand for Grant on Account under the head 'Railway Board' be reduced to Re 1"

[Failure to extend Provident Fund and Gratuity Acts to cover all the railway employees (13)]

That the Demand for Grant on Account under the head 'Railway Board' be reduced to Re 1"

[Failure to grant bonus to Railwaymen (14)]

SHRI SOUGATA ROY (Barrackpore) I beg to move

"That the Demand for Grant on Account under the head 'Railway Board' be reduced to Re 1"

[Failure to departmentalise all contract labour in the Railways (15)]

"That the Demand for Grant on Account under the head 'Railway Board' be reduced to Re 1"

[Failure to start work on double line in the Bongaon line in Sealdah division and the Bundel-Katwa line (16)]

"That the Demand for Grant on Account under the head 'Railway Board' be reduced to Re 1"

[Failure to expedite work on the Metropolitan Transport Project, Calcutta (17)]

"That the Demand for Grant on Account under the head 'Railway Board' be reduced to Re 1"

[Failure to speed up the conversion to broad gauge of N.F. Railway, thereby affecting freight

movement to and fro Calcutta Port (18)]

SHRIMATI PARVATHI KRISHNAN.
I beg to move

"That the Demand for Grant on Account under the head 'Ordinary Working Expenses—Administration' be reduced by Rs 100"

[Need to meet the demands of S.M.'s and A.S.M.'s of Olvakkot Division of Southern Railway (19)]

"That the Demand for Grant on Account under the head 'Ordinary Working Expenses—Administration' be reduced by Rs 100"

[Need for reinstatement of office bearers of Integral Coach Factory Workers' Union (20)]

"That the Demand for Grant on Account under the head 'Ordinary Working Expenses—Operating Staff' be reduced by Rs 100"

[Need to provide conductor guards in each railway coach (21)]

"That the Demand for Grant on Account under the head 'Ordinary Working Expenses—Operating Staff' be reduced by Rs 100"

[Need to increase the ticket checking staff on Southern Railway (22)]

"That the Demand for Grant on Account under the head 'Ordinary Working Expenses—Operation (Fuel)' be reduced by Rs. 100"

[Need to speed up electrification of Madras-Vijayawada section of Southern and South-Central Railways (23)]

"That the Demand for Grant on Account under the head 'Ordinary Working Expenses—Operation (Fuel)' be reduced by Rs. 100"

[Need to speed up electrification of Madras Arkonam section of Southern Railway (24)]

"That the Demand for Grant on Account under the head 'Construction of New Lines—Capital and Depreciation Reserve Fund' be reduced by Rs 100"

[Need to undertake construction of broad gauge link from Tiruchu to Tuticorin (25)]

"That the Demand for Grant on Account under the head 'Construction of New Lines—Capital and Depreciation Reserve Fund' be reduced by Rs. 100"

[Need to construct a new railway line between Ernakulam and Kayamkulam via Alleppey (26)]

"That the Demand for Grant on Account under the head 'Construction of New Lines—Capital and Depreciation Reserve Fund' be reduced by Rs. 100"

[Need to construct a new railway line between Kuttippuram and Trichur via Guruvayoor (27)]

"That the Demand for Grant on Account under the head 'Construction of New Lines—Capital and Depreciation Reserve Fund' be reduced by Rs 100"

[Need for the early construction of new rail link between Mangalore and Bombay (28)]

"That the Demand for Grant on Account under the head 'Construction of New Lines—Capital and Depreciation Reserve Fund' be reduced by Rs 100"

[Need for the construction of a railway line between Tellicherry and Mysore via Coorg (29)]

PROF. SHIBBAN LAL SAKSENA I beg to move

"That the Demand for Grant on Account under the head 'Railway Board' be reduced by Rs. 100"

[Failure to drop the use of Railway Saloons for Railway Officers on various Railways (30)]

"That the Demand for Grant on Account under the head 'Railway Board' be reduced by Rs 100."

[Failure to provide sufficient trains connecting Allahabad with Bombay (31)]

"That the Demand for Grant on Account under the head 'Railway Board' be reduced by Rs 100"

[Failure to extend Shane Awadh to Kanpur and back on NE Railway (32)]

"That the Demand for Grant on Account under the head 'Railway Board' be reduced by Rs 100"

[Failure to expedite the conversion of metre gauge to broad gauge on NE Railway from Lucknow to Gorakhpur and Bhatni to Allahabad (33)]

"That the Demand for Grant on Account under the head 'Railway Board' be reduced by Rs 100"

[Failure to provide a pool of peons on Railways as in Secretariat instead of one peon for each Railway (34)]

"That the Demand for Grant on Account under the head 'Railway Board' be reduced by Rs. 100."

[Failure to stop practice of use of peons for domestic service of officers and reduction of their number for officers (35)]

"That the Demand for Grant on Account under the head 'Railway Board' be reduced by Rs 100"

[Failure to provide coach attendants in all first class compartments of Mail and Express trains on NE Railway (36)]

[Prof Shibban Lal Saksena]

"That the Demand for Grant on Account under the head Railway Board be reduced by Rs 100"

[Failure to provide dining cars in Mail and Express trains on N.E. and other Railways (37)]

That the Demand for Grant on Account under the head Railway Board be reduced by Rs 100"

[Failure to provide a telegraph office on Gorakhpur Junction station (38)]

"That the Demand for Grant on Account under the head Railway Board be reduced by Rs 100"

[Failure to provide a really large properly furnished First Class waiting room at Gorakhpur Railway Headquarters Junction (39)]

That the Demand for Grant on Account under the head Railway Board be reduced by Rs 100

[Failure to provide a really large furnished Second Class waiting room at Gorakhpur Railway Headquarters Junction (40)]

"That the Demand for Grant on Account under the head Railway Board be reduced by Rs 100

[Failure to provide suitable trains connecting Gorakhpur with Calcutta Bombay and Madras (41)]

"That the Demand for Grant on Account under the head Railway Board be reduced by Rs 100"

[Failure to provide electrification on N.E. Railway (42)]

That the Demand for Grant on Account under the head Railway Board be reduced by Rs 100

[Failure to restore one instalment of D.A. to Railway Employees (43)]

That the Demand for Grant on Account under the head Railway Board be reduced by Rs 100"

[Failure to announce that all losses suffered by Railwaymen during strike will be compensated (44)]

That the Demand for Grant on Account under the head Construction of New Lines—Capital Depreciation Reserve Fund be reduced by Rs. 100"

[Failure to connect 1 bulha Maharaj Ganj Michlaul and Thuntibari by train from Gorakhpur (45)]

MR SPEAKER Shri Henry Austin
Absent Shri S. Kundu:

SHRI S KUNDU (Balaore) 1 rose to support the Budget presented by the Railway Minister. I would particularly mention here that after the spell of black rule that covered the whole of India this Budget and the reliefs which the Railway Minister has given to the workmen should be applauded by all those who really feel for the workmen who are suffering so that our democracy becomes a living democracy. He has gone out of his way to reinstate all the workers who were dismissed during the railway strike. I would like to point out that during the emergency many of the workers were tortured. Many labour leaders who did not support the black rule and the black measures of the Congress Government Indira Gandhi's Government were punished directly or indirectly. Many of them have been removed have been demoted and many of their benefits have been taken away from them. Trade unions not only on the railways but all over India were made to subserve a counterfeiter a family not even the Government in power.

I would appeal to the Railway Minister to consider this point because this is a valid point. The hon. Minister has said that all those

workers will be reinstated. The hon. Members on the other side fully understand that unless they are treated as on duty, it will create a lot of complications. I would request that this should be amended in such a way that all those workers who were on strike and were harassed during the emergency, these 19-20 months, by the dictatorial Government should be treated as if they were on duty.

I was a Member in the Fourth Lok Sabha. I was also a Member of the Railway Convention Committee at that time. I was also a Member of the Select Committee in which this thing was also examined. Mr. Qureshi was then the Deputy Minister. I do not see any former Railway Minister here.

(Interruptions)

MR SPEAKER: I do not like this cross-examination. It should not happen.

SHRI S. KUNDU: We are happy that the Railway Minister has got a team of dedicated men who served the poor people all these years. It is in the fitness of things that the Railway Minister has been given the charge of one of the biggest public sector undertakings not only in India but the whole world and he should make it workers oriented. The whole railways, as I have seen them, are resembling or perpetuating the monarchical trend. All the top officers have the legacy left over by the Maharaas. When I see their behaviour, their approach and attitude, I find that it does not fit in with the current needs of the time. I am sure Mr. Madhu Dandavate will have the cooperation of all those Members who have been now relegated to some back benches in the House. They must also analyse this matter and see how far they can lend their helping hand to Mr. Madhu Dandavate. Therefore, Mr. Speaker, through you, I would appeal to the Railway Minister to see

that the workers' participation scheme really becomes meaningful. How it becomes meaningful is a question of detail and I am not going into it in detail because the time is short. I would request the Railway Minister to see all these things.

Most of the important recommendations of the Railway Convention Committee and the other Committees have not been accepted by the Railway Administration or there is some delay in accepting them and they give some excuse here or there. I would request him that very important and far reaching recommendations of the Railway Convention Committee must also be accepted.

Yesterday when the Railway Minister was making his speech, Members from the Opposition side were praising the achievements made by the Railway Board during the past few years. I would like to say here that these achievements are entirely due to the hard work of the working class whom some Members in the Opposition call them anti-nationals. These people whom you call anti-national worked hard through terror and fear without submitting to the whims of some individuals in the Railway Administration. They worked hard for the prosperity of the nation and they kept the wheels of the progress moving. There were certain people who were following the black rule. Now, we have to decide whether we should give praise to these people or to the people who have been working very hard and kept the progress of the railways moving.

I am happy that the hon. Railway Minister Mr. Madhu Dandavate has made the position very clear about the railwaymen who were dismissed or suspended from service during the 1974 strike.

They wanted the trade unions to serve their interests. They did not serve them even. They served some

[Shri S Kundu]

individuals They were meant to serve only 1 1/2 people in India

I would like to say that during the last 2 months of black rule during Emergency many committees bipartite tripartite etc have been set up All of them should be abolished lock stock and barrel Most of them have been the protagonists of Emergency one way or the other These protagonists of Emergency should not be allowed to remain in the committees We have to serve the people As the able Finance Minister said we have faith in our people and we are determined to serve the people We want to show to the entire nation that the Janta Party the Janta Government will serve the people the toiling masses of the country To achieve this end the protagonists of Emergency those people who are anti people those people who wanted the trade unions to serve the interests of only 1 1/2 people in India should not find any place in these committees

AN HON MEMBER They are the real fascists

SHRI S KUNDU I would not say that I see the hero of Satara sitting in front of me When I was in jail for 19 months while reading the speeches, I was terrified and shocked I ask Where was the hero of Satara? What was he doing? Why his voice is choked up? I do not mean any disrespect to Mr Chavan. I have got all love and respect for him. You all kept your mouths shut I will not call you the guilty men of India for what happened in the last 20 months I would only say that you did not open your mouth.

There cannot be a better person like the hon Speaker whom I am addressing I remember how nice he has been to me in the Fourth Lok Sabha. He used to ask me "Why don't you put a question?"

He had so much love and fellow-feeling for the Members of the House I cannot find a better person than him as the hon Speaker

Sir my heart is burning inside me to narrate the horrible tortures committed in jail I was confined in a room for two months till the MISA was amended and they put me behind the bars All of you are witness to the black period of Emergency We have been slaves to the perpetuation of the family rule of 1 1/2 persons You cannot get out of it You have to get out of it The sooner you get out of it the better it will be You better speak out now in the House and say that you admit your faults so that democracy is strengthened I know most of the friends tell us outside that they made mistakes I like them I embrace them I respect them because they are truthful because they are honest They could not resist How could they resist? Even the hero of Satara was keeping silent

Now I come to the other point There is the hero of the trade union movement Mr George Fernandes He is the leader of the working class Everybody knows how he was tortured in jail. Another hero is the hon. Railway Minister I am happy that the Railway Minister has said that he would pay special attention to the needs of the Backward States

I hope he will remember and will not forget as the periphery of influence grows round the Minister I will not spare any Minister but will add track the influence of those who become more and more powerful He should not forget that Orissa is a State which has been neglected I represent the poor people of Orissa (80 per cent of the people in my area are below the poverty line)

We have been fooled for years and years together Even during this election some sort of an inaugural

ceremony was conducted for laying a line from Banspani to Jakhapura. What mockery is this? Even during the earlier Elections a foundation stone was laid by the Prime Minister but it had to be uprooted because the line had become silted with dust and rain-water. Now, during this Election again, they have laid some of these foundation stones. I hope this line will be completed within a period of one year.

Then, there is the Roopsa-Talaburd line which is the lifeline of the backward district of Mayurban where Adivasis live. This has not been made broadgauge and it has not been connected to the Khargpur-Bombay line. This has to be taken up. I would like a Master Plan to be drawn up showing what line will get what priority in this backward State and what will be the allocation of resources.

Again, though 90 per cent of the South-Eastern Railway lines pass through Orissa the Headquarters is elsewhere. I would like the Headquarters also to come to some place in Orissa. If this cannot be done immediately, at least a subsidiary office, next to the General Manager's office, should be there in Orissa march ahead.

With these words I again thank the Railway Minister and I hope that with our sustained help and the cooperation of everybody, we will march ahead.

MR. SPEAKER: There is some mistake here, I called Dr Henry Austin because his name was here. Actually, Shri Mohd Shafi Qureshi ought to have begun, but because of this mistake, I called the other side.

I would appeal to the Members to be brief. If each Member takes half an hour, we cannot possibly finish this in a couple of hours. There is the General Discussion to follow for which we will take ample time.

Now, if any Member sends me a slip, it will be convenient to me if it comes through the Party. If individual Members want to speak, I don't know whom to call and whom not to call as I get slips from the Parties also. I would therefore request you to send your slips through the Party so that it will be easier for me. Shri Austin had sent his slip individually and therefore I did not call Shri Mohd Shafi Qureshi. I would now call him or Shri Pai or anybody who wants to speak on behalf of the Party.

श्री मनोहरलाल (बानपुर) : अध्यक्ष महोदय, पिछले 19 महीने जो हमने बट्ट उठाये हैं, उसकी वरुण गाया की पहा 2 मिनट में बीते बह सकते हैं ?

श्री बसन्त साठे बीते हुए 19 महीने की बात कहना चाहते हैं ।

MR. SPEAKER: You must send them to me through the Party. I cannot call individuals. I would request both of you not to waste time.

SHRI T. A. PAI (Udipi): Mr Speaker, Sir, I would, at the outset, like to place on record the excellent performance of the Indian railways for the last two years. As an Indian, I would not like to minimise whatever achievements we have merely because sometimes our attitude is purely partisan, that would demoralise the people who have worked well in this country. The railway organisation cannot be maintained without discipline. I am prepared to agree that thanks to the workers who were dedicated and who have worked very well during the last two years, for the first time we had discipline and, thereby it was shown how our assets could be better utilised in the interest of the country.

I am aware that the railway labour movement is not united. Every section has got its own leader and thus had created considerable problems for

[Shri T A Pal]

the country For the first time the Government has now a chance as most of the labour leaders are with them to have a unified labour movement in the railways and to maintain discipline With discipline alone the railways can survive The role of the railways is not restricted to passenger traffic or to the movement of freight in this country It is an important second wing of the defence forces If you insist that there should be discipline in the Army in the Navy and in the Air Force I think, you should also insist that there should be discipline in the railways Most of our economy depends on how the railways function and it is possible that even in a case of national Emergency if one of the other wing of the railways is paralysed there would be a complete breakdown As a member coming from the Opposition, I would say we are looking at this problem very constructively and we would not likely to come in the way if discipline could be obtained by persuasion by agreement we are for it We are not saying that discipline should be enforced But what we are saying is that without discipline the railways would not be able to function, and we have got to go very much forward I know that the railway organization has become very unwieldy It requires a second look I would very much wish that the powers are decentralised The General Managers in all the sections are very important I do not know why we get into this habit even in the matter of adjusting the time table the matter is decided in Delhi and not at the various headquarters I do believe that the General Managers are equally competent because it is from their rank that the board Members are drawn I do not know why after coming here their attitude changes I would very much

request the Minister of Railways to look into the problem of decentralisation in order to make it a very effective organization It has become too unwieldy to be run like a business organization Apart from that there is the hang over of many traditions that the railways are accustomed to As a matter of fact there has always been a cry in this country that technocrats should be entrusted with the responsibility and not the general administrators All the Members of the Railway Board are technocrats I do not know whether they function differently because it is the same rules and regulations which govern them also which prevent that from becoming a business organization which it ought to be I know that the Railways have very competent electrical engineers and telecommunication engineers, but I do not think that, even once any one of them has gone to the rank of Railway Board Membership I would request that all these people may be given equal opportunities to occupy top positions Somehow it is a hangover; when civil engineers are in charge of this, it is likely that they think that additional traffic can be moved only by doubling the line and more emphasis is laid on civil construction I would appeal to the Railway Minister to consider some of these problems We ourselves would have been compelled to look into them if we were in the Government The administration should not be carried on like this

As I have been saying, the number of railway wagons that we have is about five lakhs and these cannot be managed only by sitting here through manual operations All over the world they have computerised the movement of wagons It would be necessary to know where exactly our wagons are why they are stuck up and why they should not be moved more efficiently This is another suggestion that I would like the Minister to consider

Again we found that in the last two years things improved very considerably. We had a very heavy backlog of maintenance and our inventory of the railways was very heavy. A committee had been set up to look into the problem of inventories and I believe that Committee has already made a recommendation. I do hope that the inventory management in the railways would be taken care of and we would be able to manage and achieve higher targets in mind with less resources.

It is known now that the passenger trains have been running punctually. I would like the hon Minister to look into the freight trains also because if that is at the expense of the freight trains and the freight trains come late it would affect the economy a great deal. The major part of the income of the railways comes from the freight and any effort to increase even by 10 per cent the revenues coming from freight without increasing the freight charges would be welcome because it is a matter of efficient management of the freight also.

The railways have introduced quick delivery system on extra payment. I do not know how far they have been effective in carrying out this quick delivery. Very often, I remember we had to refund the money because we could not deliver in time. I would very much like that the railways introduce quicker trains for movement of fruit, vegetables and perishables so that the prices of these things come down. That would be possible by free movement of these commodities.

So far as new additional railway lines are concerned there has been heavy capital expenditure over these years. I would very much like that the hon Minister who has now given an assurance also to see that the Konkan railway is taken care of. It should not stop at Ratnagiri. The logical conclusion is that it must go right upto Mangalore. The survey is already over and the report must be

in his hands in a few days. I would expect him to take up that work from both ends. That is the only missing link of the railways in the map of India. I hope it would not be considered parochial for him to do it.

Ultimately with regard to the question of fixing up the freight charges and fares I think, a new outlook is necessary. In the case of new railways for example, it is not necessary to follow the same method of fixing up the freight or passenger fares. It must be slightly less than the alternative that is only available if the railways are not there. I would also like the Railway Minister to examine whether their standard of opening up railway stations in various places and the capital expenditure that would be incurred in order to arrive at what it would cost cannot be reviewed and we have absolutely new standards where austerity is attempted and though maximum comforts are not assured in the beginning you go on adding those to the railway station as and when the traffic develops. I think it would be possible to look into this in this way otherwise it would be impossible to extend railways because you can always prove that a new railway line is uneconomical. I would very much like that this is gone into also.

The entire administration of the railways requires to be looked into to make it a very powerful organization run on business principles.

I would also like to point out that as a result of some Committee of the Parliament one recommendation was made that one could reserve a railway ticket one year in advance. I think, it is an absurd proposition. I would request the hon Minister to look into this and set that right. I am appealing in the interest of the travelling public. Whatever irritations are there those have to be removed.

[Shri T A Pai]

In the end I would like to say that the traditions of discipline better labour relations having one union etc are attempted now also They are no more leaders now they are all in the Government They would not have unions now for the sake of their leadership There should be only one union Even the lieutenants may be asked to join together and have one union in the interest of the nation and the railways

SHRI SAMAR MUKHERJEE (Howrah) Mr Speaker, Sir Though the budget presented here has been prepared by the outgoing Government the outlook expressed by the new Minister is welcome I am not going into the contents of the budget presented, that I will do in future when the occasion arises

The declaration of taking back all the victimised workers involved in 1974 All India Railway Strike has been hailed by all the Railwaymen outside But I would like to draw the attention of the Minister that the situation inside the Railways in regard to the employees is so bad, is so serious that it requires careful attention of the Minister I may draw his attention to a telegram which has been received by me only last evening from the President Chittaranjan Locomotive Labour Union. There all the thirteen top labour union leaders are still under detention under MISA even today They have been under detention for the last more than 20 months Repeatedly, I have been representing their case to Shri Mohd. Shafi Quresh former Railway Minister, to the Consultative Committee, to the Railway Board, to the State Government, but because of sheer vengeance based on political motive these leaders have been kept under detention and a reign of terror is raging in Chittaranjan. This township is called a prison township

Not only this that the leaders have been kept under detention, but a large number of leaders were also arrested under DLR and a large number of false cases have been instituted against them All this requires your immediate intervention

These leaders command respect in their area They are the persons who had been selected in the school committees in the co-operatives and elsewhere They are the real representatives of the people That is the reason why at the instance of the local Congress leaders they have been kept under detention and a reign of terror is raging there

The victimisation has not been limited simply to 1974 General Railway Strike During emergency more than 2000 Railwaymen have been dismissed from service They have been penalised in the form of penal transfers, in the form of demotion, in the form of compulsory retirement etc Various methods have been applied to take away the Trade Union rights The way these rights have been taken away is clear from one of the Circulars which I am reading Circular No B/P 694/P has been received by me

South Central Railway
Division Office
Personnel Branch
Vijayawada 11-76

B/P 694/P

All Supervisory officials' BZA
Division

Sub Unrecognised Unions/Categorical councils conducting of meetings in the Railway Premises

It has come to the notice of this office that unrecognised, categorical councils are conducting meetings/collecting membership and pasting banners within the Railway premises All India Guards council is one of such unrecognised unions

Conducting meetings within the Railway premises pasting banners on the Railway Buildings by the unrecognised unions tantamounts to an act of serious misconduct. All supervisory officials are hereby instructed not to allow all such things in the Railway premises.

Even for collection of Union Membership Fee in Waltair one leader of the Union has been dismissed from service.

Shri T. A. Pai talking about discipline. This is what has been the outlook of discipline of bureaucrats. They know only one form of discipline. (Interruptions)

MR SPEAKER I request hon. Members not to come to the Chair and disturb me while I am listening to the Member who is speaking. I would like to discourage such a thing so that Members may not disturb me when I am following the proceedings of the House. If they begin coming here and disturb me that means I will not follow the proceedings at all. I would appeal to them—I am not having in my mind anybody particularly but I am speaking generally—not to disturb me when I am following the proceedings of the House. They can always send me chits. So as a matter of principle I request them that they need not come here and disturb me instead they can send slips to me.

SHRI VASANT SATHE From this side you will not have any complaint.

MR SPEAKER I am appealing to the whole House.

SHRI SAMAR MUKHERJEE Mr Speaker Sir I would appeal to the hon. Minister that all those who had been victimised due to the bureaucratic behaviour by the Administration must get justice. All their cases must be reviewed. They should be taken back. Mr T. A. Pai just now told us about discipline. The former

120 LS-2

ruling party has only one outlook about discipline. They force them to go out of employment. They force them to face starvation. They force them to go out of jobs. By terrifying them you do all sorts of things. This is what is being done by the employers in the factories in the case of the industrial workers. The employees are forced to give out double or treble workload and the employers are coming with the democles sword of discipline banging over the heads of these employees. If the workers resist something it is said that there is no discipline. If the Union leaders organise the workers in protest the cry is that they are creating chaos. There are two types of discipline—conscious discipline and bureaucratic discipline. Conscious discipline is far more superior than the bureaucratic discipline. I can give you one example. You know the role of the American Army and the People's Liberation Army in South Vietnam. It is the superior discipline and the conscious discipline that won ultimately. The American army had only bureaucratic discipline. When the liberation struggle was on the point of success in South Vietnam, you have read in the newspapers how the American forces behaved, how out of panic they and each other to flee away how they were degenerated. All these have been proved. So I would emphatically say that it is only conscious discipline that will help the Railway Administration to improve its functioning as quickly as possible.

That is why an entirely new outlook is necessary in this matter.

This new outlook must pervade the entire administration as a whole including the Railway Board. This is very essential. Of course I do agree that it takes time.

We are prepared to give full time to the new Railway Minister for a thorough overhaul of the administration of the railways provided of

[Shri Samar Mukherjee]

course he seeks the full cooperation of the workers/railway employees for the efficient working of the Railway Administration.

There are one or two cases to which I would like to draw his attention. One was regarding the agreement which was arrived at with the All India Loco Running Staff Association by the Railways in the year 1973. There was a categorical assurance given to them that ten hours duty would be introduced throughout the Railways by 31st December, 1976. But that has not yet been implemented. This is a grievance which is still there among the Loco Running staff. I would urge on the Railway Minister to take up this issue and talk with the leaders of the Loco Running Staff Association and to see how this agreement can be implemented as early as possible.

Regarding the punishment or victimisation of staff I hope the new Minister will pay special attention to this and do the needful in the matter.

With these few remarks I welcome the Budget speech of the hon. Railway Minister and I support the same.

DR. SUBRAMANIAM SWAMY (Bombay North East) Mr Speaker, Sir I would have preferred to listen to all the other speeches but seeing all the tall claims that were made by the former discredited ruling party, I think that it has become necessary for me to explode all those tall claims with the help of the statistics which they themselves must have prepared. Obviously because this Explanatory Memorandum must have been prepared by them long before our Government took over.

Now one of the things that has been constantly said about is that the Railway Budget is a surplus one. This is an indication of the efficiency, an

Indication of the discipline that has been brought about to Railways.

Of course, they also claim that for the first time since the declaration of emergency, the trains were made to run on time, just as the rains were brought on time, the trains were also made to run on time. In other words, the trains were not on time earlier on. But the fact of the matter is this. This surplus was not due to efficiency alone. One has also to examine the Explanatory Memorandum to find out why it has become a clear surplus. This has been achieved because of the steep rise in fares that took place in the year just before the emergency through the Supplementary Budget for Railways which was brought in accidentally because the Government spent Rs 1500 crores as a national loss in order to crush the railway strike. In order to deny the workers who had asked for the bonus which would have amounted to only Rs 40 crores.

In other words this Government would rather have a national loss of Rs 1500 crores than give the workers the bonus of Rs 40 crores.

The passenger earning which has been realised through the steep rise in the fares. In what direction? If you again look at the statistics you will find that the upper classes have contributed only to a ten per cent increase in the earnings whereas the second-class—lower class—passenger earnings have contributed to a twenty-five per cent increase in the earnings. In other words the rate of increase in the earnings has fallen much more in the upper class obviously because in the upper class, people like Shri Salhe and others travel and they do not pay anything at all. (Interruptions)

The second factor is this. Look at the performance of the railways in the matter of freight that has been moved during the last one year. They had targeted a figure of 220 million

tonnes of freight last year in the budget whereas they had moved 260 million tonnes of freight. Is this something to be proud of? Actually, in 1965-66, the railways had moved the freight of 212 million metric tonnes—this is a glorious decade of these ten years—and all these people did the bhajan songs when Mrs Gandhi was in power. I do not know whether they still go to her residence or not. The question is at the time when the emergency was there they talked about this glorious decade.

12 00 hrs

Has this glorious decade reflected on the Railways? Obviously not. Sir, you have to look at the figures. In 1965-66 the amount of freight which was moved by the Indian railways was 212 million metric tonnes. Now, it has come down to 206 million metric tonnes. This itself is a clear indication of what they have done to the railways. Again the freight earnings—where the Government should obtain more earnings—over the last year have gone down by Rs 33 crores. How have the freight earnings gone down? It is because of the concessions that have been given during the Emergency to the chosen few who managed to go and meet the one and a half person at 1 Safdarjang Road.

Sir, if you again look at the Explanatory Memorandum, the wagon production which was 33 000 per year in 1965 has now come down to 11 000. I would like to know why has this happened? The production of wagons has gone down tremendously now; it is only one-third of the production in 1965-66. Sir, I would like to refer to page 23 of the Explanatory Memorandum where you find a table showing 'new works'. I would like to know have any new works been started during the last year? Sir, you will find from the table that

hardly any new work has been started. In fact, old works are continuing and that too are incompletely done.

Sir, I would like to draw the attention of the hon Railway Minister to Chembur Mankhurd line that had to be doubled. Big promises had been given for doubling this line. In 1971 the estimated amount of expenditure on doubling of this three and a half kilo metre line was Rs 20 crores. They kept on delaying this project. Now, the estimated expenditure is supposed to be Rs 50 crores. Sir, you will be amused to find that they have only targeted Rs 7 lakhs for this purpose this year. I would like to know why the poor people of Chembur-Mankhurd have to move on a single line and suffer long delays.

Sir, I would also like to add that there has been an increase in corruption in the railways. I am sure the present Railway Minister who has got a brilliant reputation in his constituency—people there praise him very affectionately because of the work done by him consistently—will look into the causes of corruption. Sir, just before the Emergency I had written a letter to Shri Kamalapati Tripathi bringing to his notice that the Minister of State for Railways had tried through extortion to get money from Stall Holders Association.

SHRI K LAKKAPPA Mr Speaker, Sir, it is not fair on the part of the hon Member.

MR SPEAKER Mr Lakkappa, I am on my legs. Mr Qureshi will have a chance to reply to it. He will have a chance to defend himself. I think Mr Qureshi is capable enough to defend himself.

DR SUBRAMANIAM SWAMY Sir, I was talking about a letter which I had written to Shri Kamalapati Tripathi in May 1975 saying from the Stall Holders Association there was an attempt to obtain money through extortion. Sir, I have tape-recorded

[Dr Subramaniam Swamy]

evidence with me and the hon Minister may give me an opportunity to present the same I would like to know from the present Railway Minister as to whether this letter is still on the file. If it is not there I will send another copy of the same and again give an opportunity to the Government to bring this matter up.

Now Sir, I would request the Railway Minister

(Interruptions)

MR SPEAKER No, no, Mr Lakkappa He is capable of defending himself. He is here in the House.

SHRI K LAKKAPPA He is making unfounded allegations.

MR. SPEAKER If it is unfounded, he can answer it how. How to you know anything about it, founded or unfounded? You do not know anything.

(Interruptions)

MR. SPEAKER No, Mr Lakkappa, I won't allow this. He is here. He will reply. Why should you be excited?

DR. SUBRAMANIAM SWAMY: I would like to conclude by asking the Railway Minister an assurance that as far as the Chembur-Mankhurd line goes, the amount that has to be spent to immediately get the line doubled, he would do so. Secondly, the problems of rapid transit in Bombay are very very serious indeed and they have been grossly neglected and I hope he would pay immediate attention to the development of rapid transport system in Bombay.

SHRIMATI PARVATHI KRISHNAN We have got a convention in this House that normally we should not interrupt those who are making maiden speeches. So I would request everybody not to interrupt maiden speeches even if they are 'unmaiden'.

MR SPEAKER In this particular case there is no allegation at all. He was referring to a letter which he had written and Mr Qureshi is there immediately to reply. I would very much appreciate if Mrs Parvathi Krishnan's suggestion is taken by the Members. But she also must control herself.

श्री मुहम्मद शफी कुरेशी (अनन्तनाग) : मुझे खुशी है कि नए रेल मंत्री ने बजट पढ़ा, देश नहीं बिगाड़ें और जो बातें उन्होंने अपनी तरफ़ से कही हैं वे इस यान की गवाही हैं कि पिछले दो सालों से रेलों की जो बरकरारी रही है वह ऐसी रही है जिस पर सारा मुल्क फ़ख़र करता है। यह सही है कि इतने बड़े कार्यालय बनाने के लिये ज़िम में तबरीबन 17 लाख लोग काम करते हैं, जो एगिया का सबसे बड़ा रेलवे सिस्टम है, जहाँ पर तबरीबन दस हजार गाड़ियाँ रोज़ाना स्टेशनों पर चलती हैं, बिना रेल कर्मचारियों के सहयोग के प्रकृति तरह से नहीं चलाया जा सकता था और इसके लिये सभी रेल कर्मचारियों को ही धर्दाई देना है। उन्होंने इतने बड़े काम में हमारा हाथ बढ़ाया है और हिन्दुस्तान की रेलों को ऐसा मुकाम दिलाया है जिस पर हम सब फ़ख़र करते हैं (व्यवधान) एक बात मैं चाहूँगा। पालियामेंट का धादाब सीखना है तो एक दो दिन सब करें और उसके बाद किसी की बात की बातना हो तो बाटें। इस एजान का सलीका सीखना है तो कुछ हमसे सीखिये।

मैं रेल मंत्री की याद दास साज करती चाहता हूँ। 1974 की धीर में उनका ध्यान दिलाना चाहता हूँ जब हिन्दुस्तान के रेलवे सिस्टम को तबाह करने की एक साजिश की गई थी। केरल धीर मन्नास में सब सूखा पड़ा हुआ था और पंजाब और हरियाणा में हमारे खेत लहलहा रहे थे। गेहूँ हमारे पास मौजूद था। उस वक़्त एक साजिश की गई ताकि हुकूमत को उल्टा जा सके और उसका एक तरीका यह निकाला गया कि लोगों को सूखा मारा जाए। उस मौक़े पर रेल

कर्मचारियों ने उन तमाम नेताओं को जिन्होंने साजिश की थी एक बहुत अच्छा जवाब दिया था। रेलों की जो बारकड़ेंगी रही है वह रेलवे बजट से पता चल जाता है।

एक वक्त था जब इतने बड़े सिस्टम के बारे में जिस पर धरवा रपया लगा हुआ है यह तारा लगाया जा रहा था

रेला का पहिया जाम करेंगे

काम नहीं आराम करेंगे

लेकिन हम चाहेंगे कि मुल्क के हित में और जनता के हित में यह सिलसिला जारी रहना चाहिये। जो कुछ भी हुआ और जो कुछ भी कोशिश की गई रेलवे सिस्टम को विगाड़ने की और इस कोशिश को नाकाम करने की रेल कर्मचारियों ने जो कोशिश की और जो सहयोग दिया उस के लिये मैं उनका मशकूर हूँ।

नए रेल मंत्री ने अपने बजट में तजक़िरा किया है कि स्टाफ के साथ हमारा तालमेल बेहतर होगा और इसकी शुरुआत की गई है।

मुझे इस की खुशी है कि उन्होंने इस बात को स्वीकार किया है। सच्ची बान भानने से बाई इन्कार नहीं कर सकता। लेकिन मुझे ताज़्जुब इस बात का है कि कूडू साहब ने यह कह दिया कि जितनी भी कर्मठियां बनाई गई हैं उन सब की एक दम से हटा दिया जाए। मैं चाहता हूँ कि अगर वह खुद अपने मंत्री की तनरीर जिसमें सफ 11 पर कहा है कि

Apart from the shop councils formed in the production units of management and labour representatives the scheme of workers' participation has been extended to commercial and service organisations having large public dealings. As an experimental measure, station com-

mittees have been set up in Bombay, Madras and Delhi in which representatives of organised labour are associated with the objective of providing better service to customers

मुझे यकीन है कि कूडू साहब फिर ऐसा नहीं कहेंगे क्योंकि यह मकसद था कि जनता को सफर की सुविधा दी जाय।

मुझे अफसोस है कि श्री स्वामी ने मेरे खिलाफ कुछ चार्जेंज लगाये। मैं चार्जेंज लगाने का प्रावी नहीं हूँ, बात पर हमला नहीं करता। वाग वह हिन्दुस्तान में होते और देखते कि रेलवे ने कैसा काम किया है। मैं बेसलेस एसीमेंशन नहीं लगाता, लेकिन जो बात उन्होंने कही है, यहां नये रेल मंत्री जी मौजूद हैं अगर वह एच केस भी साबित कर दें जहां पर किसी किसम की गड़बड़ हो तो इस्तीफा मैं दे दूंगा, और अगर नहीं साबित कर पाते तो वह इस्तीफा देंगे। और अगर नाबित नहीं कर सकते तो फिर उन पर अखलाकी बात हो जाती है कि वह इस सदन को छोड़ दें, क्योंकि इस सदन की कुछ मर्यादा है उस को न बिगाड़ें। हम आपके सेविल पर नहीं आना चाहते हैं बल्कि एक ऊंचा सेविल रखना चाहते हैं। अभी आप की सरकार अभी है, जनता ने आपको मौका दिया है इसलिये जनता के साथ विश्वासघात न कीजिये। जिस तरह से आप बातें करते हैं यह आप को शोभा नहीं देता है।

रेलवेज के मुतालिक अभी माननीय स्वामी जी ने एक चिताव पड़ी, लेकिन उन को यह मालूम होना चाहिये कि हमारी पहली हुकूमत के जमाने में 212 मिलियन टन फेर अगर करी किया मात्र 206 या 210 कर रहें हैं और आप ताज़्जुब कर रहें हैं कि इसमें पैसा बच गया। इसका लीड बच गया बाबा बोधि सा पद ने जितने कि वह काबिल हैं लेकिन शायद रेलवे के मुद्दामें की उनकी कम जानकारी है। पहले 100 मील जाया था। मात्र 200 मील जाता है, उस

[श्री मुहम्मद शफी कुरेशी]

माल की लीड बढ़ गई है, कारखाने बढ़ गए हैं, कार्ने दूर दूर तक खुली हुई हैं। तो लीड बढ़ने की वजह से भी ग्रामदली बढ़ी है। यह सही बात है कि पहले गुड्स ट्रैफिक से ज्यादा ग्रामदली होती थी। लेकिन यह कहना कि तिर्क किराए बढ़ने की वजह से ग्रामदली बढ़ी है, यह सही नहीं है। एक मसाला है कि पहले 50 लाख लाग यंगर टिकट सफर करते थे, चैन पुलिम और इडिमिलिन से बाकी नुस्सान होता था। लेकिन आज हम फंड के साथ कह सकते हैं कि भारत की रेलवे दुनिया की सबसे एफीजियेंट रेलवे मानी जाती है क्योंकि टिकटलेस ट्रेवल कम हो चुका है, गाड़िया बचन पर चलती हैं, आती हैं, हालांकि कौशिक की गई कि गाड़ियों का बचन पर न चलने दिया जाय। मुझे यकीन है कि नये रेल मंत्री जी लेबर के हक में काफी बात करते हैं इसलिए यह इस बात का ध्यान रखेंगे कि हमारे रेलवे सिस्टम से अनुशासन कायम रहे। और जहां तक डिमिलिन का साल्युट है वह ऊपर से नहीं योगा जा सकता है, देश में रेलवे सिस्टम अभी सर्विलर या मांडर से नहीं चल सकता है, यह तभी चल सकता है कि जब 17 लाख ग्रामदली मिलजुल कर काम कर, रेलवे बोर्ड से लेकर मजदूर तक।

स्पीकर साहब मैं यह भी अज्र करना चाहता हूँ कि एक ग्राम हवाल यह पाया जाता है कि हडताल के दिनों में हमारे बचन में मजदूरों के साथ ज्यादाती हुई। लेकिन यह हमीन है कि हडताल के बाद जब हमने चाहा कि एक नया माहोल पैदा हो तो कुछ चन्द लोगों का छोड़ कर जो 200 400 500 लोगों जिनके खिलाफ फौजदारी के मुद्दमे हैं, बाकी सब मुलाजिमों को वापस लिया गया। मुझे तो ख़ुशी है, अगर रेल मंत्री ममलने हैं कि तमाम लोगो को वापस लेना चाहिये। लेकिन मैं यह जरूर कह सकता हूँ कि ऐसा अभी नहीं हो सकता, ऐसे भी लोग हैं जिन्होंने रेलवे के डिमिलिन की तब, और बर्बाद

करने की कौशिक की है। इसे रेल मंत्री जानें कि हमने वे क्या कुछ करना चाहते हैं।

मैं एक बात और जरूर याद दिलाना चाहूंगा। जिस समय रेलवे कमचारियों ने अपने मुनालवे हमारे सामने पेश किये, तो 500 करोड़ रुपये का अनुमूल वेज थिल था। यह पेन्-मीशन के बाद 110 करोड़ रुपये हो गया। टूकूमत ने इसको तमलीम किया। जो घड़े पेन्-मीशन के नये मिफारिशन थे, उनको ठसलीम किया गया। भवसं आफ बर्न जो पहले 19 घटे थे, उससे घाटे में मांग हुई कि उनको कम किया जाये। हमारी सरकार का मिया भाई भवांडे था जिसमें 14 घटे का भवांडे था, उससे मुताबिक बकिंग भवसं कम किये गए। 3 लाख के करोड़ से 2.2 लाख हैं जो कि अभी तक परमानेंट नहीं हुई है, लेकिन डी-नैटुमलाइजेशन की रकम हमारे बचन में बली और उस पर 16 करोड़ रुपये टूकूमन ने खर्च किये। इसी तरह से कुछ बर्खास्त में और लोकोमोटिव बर्गरह से जो इम्पूवमेंट किये गये उसमें 5 करोड़ रुपये खर्च किया गया। आइ-इवेल्युएशन पर 15 करोड़ रुपये खर्च किया गया, बांडर रिट्यू पर साढ़े 12 करोड़ रुपये खर्च किये गए। इस तरह से टोटल 190 करोड़ रुपये खर्च किया है।

जहां तक नये रेल मंत्री का साल्युट है, ये लेबर के हक में बहुत बातें करते रहे हैं और मुझे यकीन है कि मंत्री बनने के बाद भी वे अपनी वही ख्वाब इस्तेमाल करेंगे जो कि आज से 2 साल पहले करते थे। उन्हीं की ख्वाब में मैं कहता हूँ कि तमाम रेलवे मुलाजिमों को इण्डियन वर्कर नसलीम करना चाहिये। इसके बारे में मैं माफ जवाब रेलवे मंत्री से यहा चाहूंगा, क्योंकि आज देश के हजारों करोड़ों मजदूर उनकी तरफ देख रहे हैं। मैं यहा पाव धागे कहना चाहता हूँ जिनका कि ऐलान इरी हाउस में मंत्री महोदय का करता होगा। एक तो यह कि काम करने के जो घटे हैं, वह 10 घटे

से घटा कर 8 घंटे कर दिया जायेगा। ह्व
वजानि यह बिल्कुल सही माय है, इसको
तत्सलीम करना चाहिये।

जाव इवैल्युएशन करना चाहिये और
उसमे नीड-वैस्ट मिनिमम बेंज हो।

This is George Fernandes, Minister for Communications. He is my friend and I respect him. These are his demands, I am reminding him.

SHRI JYOTIRMOY BOSU (Diamond Harbour) On a point of order I should like to know whether he is making use of his former position because this gentleman had been in the Railway Ministry (Interruptions)

MR SPEAKER There is no point of order

SHRI S KUNDU On a point of order

MR SPEAKER Point of disorder, you can say

SHRI S KUNDU In this House we should stop shedding crocodile tears.

MR SPEAKER Is that a point of order?

SHRI MOHD SHAFI QURESHI Until job evaluation is done as an interim measure there should be parity in wages for workers in central undertakings like HMT, HAL etc, there should also be dearness allowance revision for every rise of four points in six months, bonus for the year 1971-72 1972-73 and further years, decasualisation of the entire casual labour. I have heard very forceful demands when those gentlemen were sitting in the opposition that we must provide subsidised foodgrain shops for railway workers. This is a demand to which they are committed. So they should provide subsidised foodgrains shops at every zonal divisional and other headquarters (Interruptions)

ये बाने मैं ने मिनिस्टर साहब की याददास्त ताजा करने के लिए बही हूँ।

SHRI M KALYANASUNDARAM (Tiruchirappalli) Mr Speaker Sir, I have a point of order. We are not able to listen to the translation of the speech being made by the hon Member because the sound is so feeble. Secondly, when the discussion is going on in Hindi we from the South are not able to follow the translation because by the time we are able to hear the sentence translated into English, we miss the context of the previous sentence. Mr Qureshi knows English and I do not know why he does not speak in English so that we, from the South, could follow him.

MR SPEAKER I will ask the Secretariat to look into this matter.

(Interruptions)

श्री लखन लाल कपूर (पूणिया)। अध्यक्ष महोदय, माननीय सदस्य के हिन्दी भाषण का अंग्रेजी में ट्रांसलेशन हो रहा है। भाषा को बलीयर किया जाय, लेकिन माननीय सदस्य को हिन्दी में ही बोलना चाहिए।

श्री मुहम्मद शफी कुरेशी आमदनी को तो बढ़ावा देना ही चाहिये, लेकिन मिनिस्टर साहब को कोशिश करनी चाहिये कि खर्च भी लिमिट में रहे और उस में इजाफा न हो।

चित्तरजन, वी० एन० डबल्यू० और आई० सी० एफ० बंगरह हमारे प्राइवशन यूनिट्स में 1973, 1974 और 1975 में हड़ताल और घेराव बंगरह के कारण प्राइवशन मिर्फ 50 परसेंट के करीब थी। लेकिन आज उन यूनिट्स में प्राइवशन 100 परसेंट तक पहुच गई है। मुझे यकीन है कि रेलवे मंत्री इस को धरकारार रखेंगे।

ایک وقت تھا جب اتنے بڑے
سسٹم کے بارے میں جس پر عزموں
دوبارہ لٹا ہوا ہے یہ نعرہ لگایا جا رہا
تھا - دراصل کا پیپہ عام کرہلگے -
کام نہیں آرام کرہلگے، لیکن ہم
چاہتے تھے کہ ملک کے عمت میں
اور جلتا کے عمت میں یہ سلسلہ
حاری رہنا چاہئے - جو کچھ بھی
ہوا اور جو کچھ بھی کوشش کی
گئی رہی وہ سسٹم کو ہٹانے کی اور
اس کوشش کو ناکام کرنے کی رہی
کرمیچارہوں نے جو کوشش کی اور جو
سہولت دیا اس کے لئے میں ان کا
مشکور ہوں -

نئے ریل ملٹری نے اپنے ہمت
میں تذکرہ کیا ہے کہ سٹاف کے ساتھ
ہمارا نال میل بہتر رہنا - اور
اس کی شروعات کی گئی ہے - مجھے
اس بات کی خوشی ہے کہ انہوں نے
اس بات کو سہولت دیا ہے کہ سچی
ہمت سادگی سے کوئی انکار نہیں کر
سکتا - لیکن مجھے تعجب اس بات
کا ہے کہ کلدو صاحب نے یہ کہہ دیا
کہ جتنی بھی کمیٹیاں بنائی گئی
ہوں - ان سب کو ایک دم سے ہٹا
دیا جائیگا - میں چاہتا تھا کہ اگر
وہ خود اپنے ملٹری کی تقریر پڑھتے
حس میں منہ 11 پر کہا ہے کہ :

having large public dealings. As an
experimental measure, station com-
mittees have been set up in Bom-
bay, Madras and Delhi in which re-
presentatives of organised labour
are associated with the objective of
providing better service to custo-
mers."

مجھے یقین ہے کہ کلدو صاحب بڑے
ایسا نہیں کہہلگے - کیونکہ یہ مقصد تھا
کہ جلتا کو ستر کی سہولت دی جائے -

مجھے اس میں ہے کہ شوی سوامی
نے میرے خلاف کچھ چارجز لگائے -
میں چارجز لگانے کا عادی نہیں ہوں -
ذات پر حسد نہیں کرنا - کاش وہ
ہندوستان میں ہوتے اور دیکھتے کہ
رہلے نے کیسے کام کیا ہے - میں
پیسس الیکشن نہیں لگاتا -
لیکن جو بات انہوں نے کہی ہے یہاں
نئے ریل ملٹری جی موجود ہیں -
اگر وہ ایک کیس بھی ثابت کر
دیں جہاں پر کسی قسم کی ٹو بڑ
ہو - تو میں استیفا دے دوں گا -
اور اگر ثابت نہیں ہو سکتا تو وہی
ان پر اخلاقی بات ہو جاتی ہے کہ
وہ اس سدن کو چھوڑ دیں - کیونکہ
اس سدن کی کچھ سہولت ہیں -
اس کو نہ ہٹا دیں - ہم آپ کے لہول
پر نہیں آنا چاہتے ہیں - بلکہ
ایک اونچا لہول رکھنا چاہتے ہیں -
ابھی آپ کی سولڈ آئی ہے - جلتا
نے آپ کو سرتہ دیا ہے - اس لئے
جلتا کے ساتھ وغیرہاں کہاں نہ کہتے -
جس طرح سے آپ باتیں کرتے ہیں
یہ آپ کو شہرہا نہیں دیتا ہے -

"Apart from the shop councils
formed in the production units of
management and labour representa-
tives, the scheme of workers' parti-
cipation has been extended to com-
mercial and services organisations

[شری محمد شافع قریشی]

وہلوے کے متعلق ابھی - واسی جی
 نے ایک کتاب پڑھی - لیکن ان کو
 یہ معاذم ہونا چاہئے کہ ہماری
 پہلی حکومت کے زمانے میں ۲۱۲
 ملین ٹن کروڑ اکر کیڑی کہا گیا تو
 آج ۲۰۶ یا ۲۰۷ کروڑ ہیں - ارد
 آپ تعجب کر رہے ہوں کہ اس
 میں پیسہ بڑھ گیا - اس کا لہذا
 بڑھ گیا - کاش تھوڑا سا بڑھ لیتے جس
 کے کہ وہ قابل ہیں - لیکن شاید
 وہلوے کے متعلقہ کی ان کو کم جان
 لاری ہے - پہلے ۱۰۰ ملین تھا
 آج ۱۰۰ ملین جاتا ہے - اس سال
 کی لہذا بڑھ گئی ہے - کارخانے بڑھ
 گئے ہیں - خاتون دور دور تک
 پہلی ہوئی ہوں تو لہذا پوچھے
 کی وجہ سے ابھی آمدنی بڑھی ہے -
 یہ سب صحیح بات ہے - کہ پہلے
 گورنر ٹریسک سے زیادہ آمدنی ہوتی تھی
 لیکن یہ کہنا کہ صرف کرائے بڑھے
 کی وجہ سے آمدنی بڑھی ہے یہ
 صحیح نہیں ہے - ایک ادارہ ہے
 کہ پہلے ۵۵ لاکھ لوگ بنیو تھے
 سفر کرتے تھے - چھین پلنگ اور
 اندھلوں سے کامی نقصان ہوتا تھا -
 لیکن آج ہم فخر کے ساتھ
 کہہ سکتے ہیں کہ بھارت کی
 وہلوے دنیا کی سب سے زیادہ ایشیائی
 ساری گئی ہے - کیونکہ تھالیس
 ٹریول بلڈ ہو چکا ہے گاڑیاں
 وقت پر چلتی ہوں - آئی ہوں

خاتونہ کوشش کی گئی کہ
 گاڑیوں کو وقت پر نہ چلا دیا
 جائے - متحدہ ہندوں کے لئے
 ریل ملٹی جی جو لہذا کے حق میں
 کافی باتوں کرتے ہیں - اس لئے وہ
 اس بات کا دعوایہ دیتے ہیں کہ ہمارے
 وہلوے سسٹم میں انوشاشن قائم رہے -
 اور جہاں تک تسلی کا تعلق ہے وہ
 ارب سے نہیں ٹھہرا جا سکتا ہے -
 دیہی میں وہلوے سسٹم کہیں آرڈر
 سے نہیں چل سکتا ہے یہ بھی چل
 سکتا ہے کہ جب ۱۷ لاکھ آدمی
 مل جل کے کام کریں - وہلوے ہورے سے لہذا
 مورو لکس پروڈکشن لہذا ۱۰۰ پرسیلٹ
 تک پہنچ گئی ہے متحدہ ہندوں کے
 وہلوے ملٹی اس کو بہتر کر دیکھوں
 گئے -

وہلوے ملٹی نے ابھی ہسٹری میں
 کہا کہ آیتا منگلو وہلوے جلائی
 جالہنگی - میں عرض کرنا چاہتا ہوں
 کہ وہ سارے دیہی کے وہلوے ملٹی
 ہیں - وہ مہاراشٹر کے وہلوے ملٹی
 نہیں ہیں - شمال میں ہندوستان
 کے سر پر تاج ہے - جس کو جسوں
 کشمیر کہتے ہیں - ملٹی سہوے کو
 اس کی طرف دھیان دینا چاہئے -
 جسوں کشمیر کھانا کھاری گاری جلائی
 گئی تھی شری کچھووائی نے اس پر
 اعتراض کیا تھا - میں نے کہا تھا
 کہ پارٹی اور شو کا سہل ہو رہا ہے -
 اس پر اعتراض نہیں کرنا چاہئے -

۳۵ برس میں گاری جموں تک پہنچی ہے - اگر سرکار چاہتی ہے کہ اس سٹیٹ کا باقی ملک کے ساتھ انٹیگریشن دیا جائے تو جموں سے اوڈھم پور تک ریلوے لائن کو پورا کیا جائے - جس کا سروے ہو چکا ہے - اس کے علاوہ قاضی گنج سے بارہ مولہ تک ریلوے لائن کا سروے ہو چکا ہے - اس کو بھی پورا کرنا چاہئے - تاکہ جموں کشمیر کے لوگوں کو یہ احساس ہو کہ وہ عظیم بھارت کا حصہ [میں]۔

प्रो० शिवन लाल सरसेना (महाराज-गज) अध्यक्ष महोदय, मुझ से सन् 1955 से स्वर्गीय लाला पद्मपत सिंहानिया ने यह कहा था कि रेलवे में 1 हजार करोड़ से ऊपर इन्वेस्टमेंट है, अगर यह चीज प्राइवेट सेक्टर में होती तो हम 25 प्रतिशत मुनाफा इस में देते और सारी पर्सनल एंजिनीयरी भी मुड़या करते, लेकिन रेलवे बोर्ड न यह ब्याडज एली-फैट बाध रहा है जिसकी वजह से इंडिपेंडिन्स भी है और सरकार को कोई विशेष मुनाफा भी नहीं मिलता । मैं भी सरकार से यह बहूंगा कि इतना लम्बा इन्वेस्टमेंट होने पर भी हमारी रेलवेज का फायदा इतना कम हो यह ठीक नहीं है । मैं चाहूंगा कि हमारे नये मंत्री महोदय इस चीज को देखें कि इतने इन्वेस्टमेंट पर जितना मुनाफा होता चाहिये वह मिल और जनता को ज्यादा सुविधाएं भी मिलें । रेलवे में जहां एकोनोमी की जरूरत है वहां एकोनोमी की जाय । मंत्री महोदय इस चीज को भी देखें जहां अफमर ज्यादा हो वहां उन को घटा दें । जो भी वेस्ट है उस को खत्म कर दें और एक मास्टरटी नैम्येन चलाएं जिससे रेलवे के एस्टेब्लिशमेंट में सुधार हो और काम ठीक तरह से चले । इतने सास हो गये लेकिन कभी भी ऐसा नहीं हुआ कि

रेलवे से उतना मुनाफा ही हुआ जितना कि होना चाहिये ?

दूसरी बात मैं गोरखपुर की कहना चाहता हूँ । उन्होंने कहा है कि बँकबडँ एरियाज नई रेलवे लाइनों बनाएंगे । गोरखपुर का एरिया नेपाल के बोर्डर पर है और सब से बँकबडँ है । मैं कई सालों से कह रहा हूँ कि एक रेलवे लाइन गोरखपुर से खुट्टा महाराज-गज निचलील होते हुए ठूठीवारी तक बनायी जाय जिस से यह एरिया डेवलप हो सके । यह 1200 स्क्वायर माइल का एरिया ऐसा है जिस में कोई रेलवे लाइन नहीं है और दूसरे मिसिड्री के स्ट्रेटिज क प्वाइंट आफ व्यू से भी इस की बहुत जरूरत है । आज चीन की रेलवे लाइन सब हिमालयन पार्सेज तक भा गई है और काठमंडू तक उनकी सड़क बन गई है । कभी भी उन की फौज हमारे कट्टी पर सीधे भा सकती है । और हमारी फोर्स अगर गोरखपुर में रहती भी है तो भी उन के लिये पासिबिल नहीं है कि वे वह बोर्डर तक पहुंच सकें । इसलिये इस रेलवे लाइन को खास तौर से लिया जाय और इसे बनाया जाय यह बँकबडँ एरिया भी है और स्ट्रेटेजिक प्वाइंट आफ व्यू से भी इस की जरूरत है । मैं चाहूंगा कि मंत्री महोदय इस के ऊपर ध्यान दें और इस रेलवे लाइन को बनाने की व्यवस्था करें ।

अभी बरखान के बारे में कहा गया और श्री स्वामी न एक पत्र भी इस के बारे में भेजा । मुझ को भी बहुत शिकायत इस बारे में है । मैं यह नहीं जानता कि कुरैशी साहब ने ऐसा कुछ किया है या नहीं लेकिन एक बात मैं ध्यान में लाना चाहता हूँ । गाज़िबाबाद जनपद का एक कंट्रैक्टर है जिस को तीन चौथाई रेलवे स्टेशन की कंटरिंग का ठेका दे रखा है । बीसो साल से यह ठेका उस के पास चला आ रहा है । शहाबुद्दीन उस का नाम है । वह अफमरों को खपवा दे कर मिलाये रहता है । पुराने रेल मंत्री स्वर्गीय ललित नारायण

(प्र० शिवन लाल सक्सेना)

मिश्र उसको खत्म करना चाहते थे । लेकिन वह मर गये और उनके मरने के बाद अफसरों से मिल कर फिर वह सारा ठेका उस ने अपने नाम जारी रखा । मैं चाहूंगा कि इस कट्रेक्टर की जाच की जाय और अगर वह रेलवे के अफसरों की मिलाए हुए है तो इस बात की भी जाच की जाय और इस के ऊपर सख्त नायवाही की जाय । इन कट्रेक्टर की खत्म किया जाय ।

इन्ही शब्दों के साथ मैं अपनी बात समाप्त करता हूँ । मेरा ध्यान थाइट उस रेलवे लाइन का था जिस का मैं न शिफ किया । बाकी मेरे वट मोक्ष स्पष्ट है । उन्हें इधराकर मैं सदन का समय नहीं खेना चाहता ।

SHRI R. MOHANARANGAM (Chengalpattu) Mr Speaker Sir, first of all, I thank you for giving me an opportunity to express some of my feelings on the railway budget for 1977-78. Even though I am in a position to express my ideas in Tamil or in Telugu I am speaking in English for the simple reason that what I say must be understood by other hon. members here. Before dealing with the various merits and demerits of the budget I would like to congratulate the hon. Railway Minister on behalf of the All India ADMK and on behalf of our great leader and uncrowned political king of Tamil Nadu Mr M.G.R., for the bold step he has taken to reinstate all the railway employees who were either suspended or dismissed during the 1974 general strike. I also thank our minister on behalf of our party on having taken a very bold step by not increasing the freight rates and passenger fares.

After having gone through the railway budget Sir in certain places still I stand unconvinced.

The hon. Railway Minister has said that unauthorised travel agents and

anti-social elements indulging in malpractices in seat reservations have been largely eliminated. But if you allow me Mr Speaker, to take the Minister to Madras I can show him the unauthorised ticket agents standing in the queue for purchase of tickets and then giving it to the actual passengers on some premium. He has also said that long queues have been considerably reduced. But if you come to Madras Egmore station, which is the heart of the Madras city, you can find the passengers after getting down from the train it will take at least half an hour for them to come out of the station. The Egmore station was constructed some 35 years back but there is no proper overbridge for the passengers to come out of the station. An overbridge should be constructed.

The Railway employees still continue to be the lowest paid employees as compared to the other public sector employees. The demand of the employees that their wages should be at par with the other public sector undertakings should be considered sympathetically. So many representations have been made in this regard but no steps have been taken until now.

I would like to draw the attention of the Railway Minister to a memorandum given by the people of Chengalpattu requesting the Minister to construct an overbridge at Chingleput railway crossline but no steps were taken to construct that overbridge. That particular area is very near to National Highways. There is an important road—GST road—which leads to the entire important towns of Tamil Nadu and Kerala States.

In advanced countries the Railways are treated as public utility service and not as a source of profit. But here the Railways are treated as a source of tax revenue. The railway work is done only in urban areas and not in rural areas. This leads to shifting of population from rural areas to urban areas.

Under the 20-Point Programme it was said that bonded labour had been completely eliminated. But if you see the Railways you will find that bonded labour is still existing there. I can quote certain instances. The Railway officers employ certain railway employees as cooks and butlers for themselves who work as bonded labour.

Coming to uniforms once I asked a Ticket Inspector as to why he is not wearing the uniform. He told me that the uniform supplied to him is of 32" whereas his chest is 42" and that is the reason why he is not wearing it. A uniform meant for our Railway Minister will not suit our friend Shri Piloo Mody.

Every Year we purchase stores to the tune of Rs 500 crores. Some are big items and some are small items and some are imported. They purchase stores more than the actual requirement. It is my humble request to the Railway Minister to reduce this amount from Rs 500 crores to 100 or 200 crores.

Now about the loading of wagons. The merchants have an understanding with the railway officials and they load the wagons beyond their capacities. In addition to our not getting additional income we also see that the unscrupulous officers and merchants join together and deprive funds due to the Railways.

Finally I would request the hon. Railway Minister through the Speaker to take necessary steps to ensuring proper administration in the Railways. Then only can we have good relations between the railways and its employees.

12.35 hrs.

PANEL OF CHAIRMEN

MR. SPEAKER. I have to inform the House that under Rule 9 of the

Rules of Procedure I have nominated the following Members as Members of the Panel of Chairmen.

- (1) Shri Dharendra Nath Basu
- (2) Shri Tridib Chaudhuri
- (3) Miss Abha Maiti
- (4) Shri S. D. Patil
- (5) Shri M. Satyanarayan Rao
- (6) Shri Dwarika Nath Tiwari

12.36 hrs.

RAILWAY BUDGET, 1977-78 AND DEMANDS FOR GRANTS ON AC- COUNT (RAILWAYS) 1977-78— Contd

MR. SPEAKER. It is now 12.30 p.m. Only 25 minutes are left for lunch. Mr. D. N. Tiwari and Mr. Kalyana Sundaram may now speak. I would then call the Minister to reply. I know I have a large bundle of names. I would request the hon. Members to take their chance on some other occasion like the debate on the President's Address. (Interruptions) I have to face over 300 Members. It will be very difficult for me. I will be very happy to call you all if there is time. (Interruptions) I know that if the hon. Members want we can speak today and tomorrow also. I thought 2 hours would be enough. I have no objection. What does it matter to the Speaker? I have called Mr. Tiwari now.

श्री भारिबल्लभ तिवारी (गोपालगंज)
अध्यक्ष महोदय, मैं सब से पहले रेलवे मंत्री का स्वागत करता हूँ—इन्होंने दिनों की बीरान बिंदगी से बाढ़ उन्हें मोका मिला है कि सरकारी बंध पर बैठ कर देश के लिये कुछ कर सकें। मे स्वयं सोमलिस्ट है और मैं उम्मीद करता हूँ कि अपने रेलवे प्रशासन के कामों में भी वे अपने नियमों और अपने आदेशों का पालन करेंगे। मैं इस बात को जानता हूँ और अनुभव भी

[बी द्वारिबानाय तिवारी]

करता हू कि अभी उन का दो-तीन दिन ही इस गद्दी पर बैठे हुए हैं, रेलवे की जो मुनियवा हैं उनके वे अभी समझ नहीं सके हैं। कल उन्होंने जो रेलवे बजट प्रस्तुत किया है, वह एक तरह से माफीगियन बजट है या पहले जो सरकार थी, उस का बनाया हुआ है, इन की छाप अभी उस पर नहीं पड़ी है। चूंकि यह बोट भ्रान-एकाउन्ट है, इसलिये वे अपनी बातों को इस में ठीक से नहीं रख सके हैं, इसलिये उस मोर्चे पर मैं अपनी कोई डिमाण्ड पेश नहीं करूंगा जब रेलवे बजट पर भविष्य में जनरल डिस्कशन होगा, तब मैं अपनी बातें उन के सामने रखूंगा, लेकिन कुछ छोटी-छोटी बातें हैं, जिन की तरफ मैं इस समय उन का ध्यान आकर्षित करना चाहता हू। बिगेपकर पैसेन्जर्स की सुविधाओं के बारे में कुछ कहना चाहता हू।

मुझे बड़े खेद के साथ कहना पड़ता है कि जब भी हम हाउस में रेलवे पर बहस होती है, तब बैथल दो ही चीजें सामने आती हैं—एम्पलायर और एम्पलाइड रिलेशन, सेक्टर रिलेशन, लेकिन पैसेन्जर-एग्जेक्टिव का मामला पीछे चला जाता है, उस पर ध्यान कम जाता है। दरभतल रेलवेज का मामला केवल एम्पलायर और एम्पलाइड से ही सम्बन्ध नहीं रखता है—वर्किंग इस का पैसेन्जरों से ज्यादा सम्बन्ध है—पैसेन्जर्स को हम क्या सुविधायें दे सकते हैं, कैसे ठीक समय पर उन को उनके गन्तव्य स्थान पर पहुंचा सकते हैं, कैसे उन का मान ठीक समय पर पहुंच सकता है—यह बात मुख्य होती चाहिये। लेकिन मुख्य बात गौण हो जाती है और गौण बात मुख्य बन कर ऊपर आ जाती है। आप छोटी छोटी बातों को देखिये कि मैं आप का खर्च नहीं बड़ेगा और बजट में कोई बड़ोपरी नहीं होगी लेकिन उन बातों को करने से मुलाहिरी को बहुत फायदा होगा।

एग्जेक्टिव रोड्स को ही आप से सीजिए। वे बहुत निगनेकटेड हैं और उन की कमी मरम्मत नहीं होती है। थोड़ी सी टिक्किंग कर दी जाती है। नतीजा यह होता है कि अगर कोई गर्मबती स्त्री टागे पर या टमटम पर जाती है तो खराब सड़क होने से उस का गर्म गिर जाता है। जो पैसेन्जर्स रेलवे को ज्यादा पैसा देने हैं उन्हीं को ज्यादा तकलीफ होती है। उन की आने जाने की सुविधा नहीं है। मैं यह नहीं कहता कि आप डिस्ट्रिक्ट बोर्ड या पी० डब्ल्यू० डी० की मददों को ठीक करवा दें लेकिन जो आप को अपनी सड़कें, हैं उन का प्रबन्ध तो ठीक हो और वे ठीक करवाई जाए।

दूसरी बात यह है कि बहुत स्टेशनों पर जो प्लेटफार्म बने हुए हैं, वे कहीं कहीं बहुत नीचे हैं और कहीं कहीं पर तो प्लेटफार्म हैं हां ५५। लाइन के बाराबर प्लेटफार्म हैं और मूलाकरि को गाड़ी पर चढ़ने में बड़ी दिक्कत होती है। इसलिए इन प्लेटफार्मों को भी ठीक करवाना चाहिए जिससे उन की बिना खनरे के हस्तेमाल में लाया जा सके।

तीसरी बात जो मैं आप से कहना चाहता हू वह रेलवे इम्पलाईज के व्यवहार के बारे में है। जनता के आदिमियों के साथ किस तरह से उन का ठीक व्यवहार हो, यह भी देखने की बात है। एक भ्रष्टाचार की तरह से जनता के साथ उन का व्यवहार नहीं होना चाहिए वर्किंग भाई-चारे का व्यवहार होना चाहिए जिस से उन के मन में यह विश्वास पैदा हो कि यह जा अनिचारी सरकार आई है वह सही है और उस के सत्ता में आने से रेलवे कर्मचारियों के व्यवहार में पहले से फर्क पड़ा है। यदि ऐसा आप न कर सके तो लोगों के मन में यही बात आएगी कि जैसे सरकारें स पहले लोग थे, वैसे ही ये भी हैं। इन रेलवे इम्पलाईज के व्यवहार में अगर आप कुछ

परिवर्तन ला सके, तो इस से घाप की प्रतिष्ठा बहुत बढ़ेगी, घाप का एडमिनिस्ट्रेशन सुदृढ़ होगा और लोगों का सहयोग घाप को मिलेगा।

चौथी बात मैं यह कहना चाहता हूँ कि रेलवे में पितृपंज बहुत होता है, चोरी बहुत होती है और घास कर कोयले और रेलों के सामान की चोरी बहुत होती है। ट्रेन में से लोग वस्त्र निराल ले जाते हैं और मैकेनिकल और पार्ट्स बनास के डिप्टी से गढ़े उठा कर ले जाते हैं ऐसा क्यों होता है? आप ऐसा न समझ लीजिए कि पब्लिक के लोग चोरी कर के ये सब ले जाते हैं। इन चोरियाँ म रेलवे इम्प्लायर्स का हाथ होता है। यह हो सकता है कि सब जगह छुलेग्राम यह चीज न हो लेकिन उन की बनाइवैस से यह अक्षर होता है। जब कोयले की चोरी होती है तो उस का खर्च बहुत बढ़ जाता है। आप यह देखिये कि स्टेशनों के पास जो भट्टे होते हैं वहाँ पर बितनी लाख ईंटें आप कोयले से पकाई जाती हैं। इसी तरह से जलावन के लिए कोयला घरों में बँटा जाता है। अगर इस चीज को आप ठीक से देखें तो कोयले की काफी बचत होगी और लोगों की जो चोरी करने की आदत पड़ गई है, वह नहीं पड़ेगी और उन की आदत नहीं बिगड़ेगी।

टिनटलैस ट्रेविल की बात बहुत कही जाती है। इस सम्बन्ध में मैं यह कहूँगा कि जो हैवीचुयल आफेंडर्स हैं वे तो पकड़े नहीं जाते हैं बल्कि जो बेचारे गांव के गरीब लोग हैं जोकि किसी कारण से टिकट नहीं ले पाते हैं, वे पकड़े जाते हैं। हैवीचुयल आफेंडर्स इसलिए नहीं पकड़े जाते हैं क्योंकि रेलवे इम्प्लायर्स में उन की साठ-गाठ होती है और उन को पहचान से ही मालूम हो जाता है कि कब मैजिस्ट्रियल चैकिंग होगी और क्या स्पेशल चैकिंग होगी। आप का एक कानून बना हुआ है कि अगर किसी पैसेन्जर के पास टिकट नहीं है और वह टिकट बनवाना चाहे, तो उस को 10 रुपये पेनेल्टी के देने होंगे।

इसलिए वह सोचना है कि टिकट न बटवाए क्योंकि उस में उस को पेनेल्टी का पैसा भी देना होता है जो कि बहुत ज्यादा है। आप हिसाब लगवा कर देखिये कि कितने लोगों ने टिकट बटवाए और कितना पैसा इस तरह से पेनेल्टी के रूप में आया। अगर इन फीसों को आप देखें तो घाप को बहुत निराशा होगी। उसे यह पेनेल्टी देनी होगी। आप यह कानून हटाइये। अगर यह कानून आप नहीं हटाते हैं तो आपकी बहुत घाटा होता रहेगा।

चौथी बात हमारे एरिये की है। हमारे एरिये में सोनपुर एक रेलवे का जिला था। उस जिले में पहले डी० टी० एस० सिस्टम था। पता नहीं किन कारणों से उसकी भबहेलना हुई। जिन कारणों से भी उसे बहा से खत्म किया गया, उसमें मैं शक नहीं जाना चाहता। सोनपुर में बहडों का सबसे बड़ा फेयर लगता है। कार्तिक पूर्णिमा के दिन लाखों लाख लोग इसमें आते हैं। वहाँ स्टाफ के बवार्टस हैं, आफिसिज खाली पड़े हैं। वहाँ जो डी० टी० एस० आफिस था उसको हटा कर आपने एक परिवहन मण्डल बनाया। परिवहन मण्डल डिप्टी डी० एस० के रैक का आफिस है। अगर आप वहाँ डी० एस० रैक का आफिस नहीं दे सकते हैं तो कम से कम डिप्टी डी० एस० का आफिस तो वहाँ कायम कीजिए ताकि वहाँ जो बठिनाइया सामने आती हैं वे दूर हो सकें। यह सब कुछ होने से वहाँ बड़ा गडबडिया होता है। आप अभी नए आए हैं, शायद आप इन प्रानलम्स को नहीं जानते हैं। इसलिए मैं आपसे रिवेस्ट करूँगा कि आप इसकी स्टडी करें। आपसे पूर्व जो रेलवे मंत्री थे उनसे भी इस मामले पर विचार करने को कहा गया था और उन्होंने भी इसको माना था लेकिन किया कुछ नहीं। इसलिए मैं आपसे दरहवास्त करूँगा कि आप उसी

[श्री द्वारिका नाथ तिवारी]

रिवोल्यूशन की तरह काम करें जो रिवोल्यूशन सभी हमारे देश में हुआ है। मैं इस चुनाव को चुनाव नहीं मानता हूँ। बल्कि एक रिवोल्यूशन मानता हूँ। अगर आप भी इसी तरह रिवोल्यूशन की स्प्रिट में काम करेंगे सभी आप देश की समस्याओं की मुलता करेंगे।

श्री मनोहर साहू (बानपुर) अध्यक्ष महोदय देश दिन में सौर हित में जो बातें हम कहनी हैं वे हमें भी कहने दें। व साथ खुद ही बमूर बार है खुद ही बालिल है खुद ही मुक्ति बने हुए हैं और खुद ही भरीव करने वाले बन बैठ हैं। इसलिए हम भी बालने का मोरा दें।

MR SPEAKER May I suggest to the concerned Minister that next time he may give chance to the new Members* The Railway Budget is allotted only two hours. How many can speak within that time? If he extends it for the whole day I will give chance. I have no objection. The President's Address will be discussed for full three days. Then 30 to 40 Members will be able to speak.

SHRI M KALYANASUNDARAM (Tiruchirappalli) At the outset I wish to convey my heart felt thanks to the hon Minister of Railways for having got Paragraph 22 included in the Budget Speech relating to the reinstatement of the workers victimised in connection with the 1974 strike. Particularly my party the All-India Trade Union Congress and the Indian Railway Workers Federation will be grateful to him because we have been agitating for the past three years sitting in the opposition, in vain. Even when a Minister like Shri L. N Mishra made a sort of sympathetic assurance that assurance could not be got through by the Government.

Now he has succeeded and so I must congratulate him on that achievement. Neither compliments nor criticism will affect him because all those who were responsible are not there for accepting compliments or answering criticism. I shall reserve my compliments and the criticism for the subsequent period till they are fully reorganised. Until then my purpose is to make some useful suggestions.

Regarding reinstatement of those workers who were on strike I want the Minister to consider some more points. There were workers who were victimised removed from service or dismissed and so on. There were workers in whose case suspension orders had been cancelled in many cases. There were workers who were involved in acts of alleged sabotage. Some of these have been convicted. All those cases must be withdrawn and the conviction must be set aside. It must be commuted and they must be restored upto the position which existed before 3rd May 1974. That is my humble submission.

There is another category of victimisation as Mr Samar Mukherjee had mentioned about official transfers. Many workers had been demoted and their previous service was taken away. So their break in service must be corrected and demotion must be restored upto the position of the strike.

There was another category of loyal workers. They were given concessions because they showed loyalty to the Railways. Those casual labourers, those temporary workers were deprived of their posts because those posts were filled by the sons or the relatives of loyal workers. There was a lot of corruption in giving concessions to the loyal workers. This question has to be viewed and all those casual workers who were in service on 3rd May 1974 should be restored to the position which they occupied on the 3rd May 1974. Clear instructions should be given to the Railway Bhavan in this regard.

otherwise they will bring your assurance to disrepute. You can take it from me.

(Interruptions)

They have done it several times. They will bring in all sorts of objections.

(Interruptions)

This is a piece of friendly warning.

On the question of discipline the workers cannot live on sermons about discipline. It should be a conscientious discipline. Some confidence should be created in them that their interest would be looked after by the Government. Today the failure of the previous Ministry must be a warning to the present Ministry. Then the workers must realise that every single railway material and every inch of railway line are the property of the nation; it is not the property of the Railway Board and the Railway Minister. The Government must create confidence in them that their interest will be looked after. This is the lesson which the new Railway Minister must learn from the past experience.

About staff quarters there is a ban on the construction of new quarters. I find immediately remove this ban. The Railway Minister may have high hopes about it, the Railway Minister may have good intentions about it, but the Ministry of Finance is there; they will come in your way. I am only appealing to him. I think my appeal will strengthen his hands inside the Cabinet for doing something for the amelioration of the conditions of workers.

I have gone through the Railway Budget Speech. I think the present Railway Minister has been in office for hardly three days and he would not have had time to go through every paragraph of the Railway Budget Speech. He would not have studied it. So I think he is not responsible for it. Going through the Railway Budget

Speech about achievements and other things I recall a note which was circulated by the Railway Board about three months ago in which the same achievements are contained. What is the title of that note? It is "Improvements in the Railways after the declaration of Emergency." So they have made the same points here. I leave it to you to judge.

About the maintenance of railway colonies the allotment of money for the maintenance of railway colonies is the first casualty in the name of economy. That should be restored.

There is another urgent matter which I want to bring to the notice of the Railway Minister and that is about the ban on promotions. In the case of Class IV and Class III all promotions have been banned. All the vacancies have not been filled in the name of economy. This matter should be reopened and all the vacancies should be filled. The sanctioned strength in all the loco sheds, workshops and departments should be restored. If you fail to do it the workers will not have any confidence in the Government.

Another suggestion that I would like to make is about the reorganisation of the Railway Board. I would request the hon. Minister to take it up seriously. The Railway Board has become very much inflated. Formerly there was one Chairman, one Financial Commissioner and three Members. We have now got 11 Additional Members permanent, Additional Members and temporary Additional Members. Formerly we had 33 Directors. Now we have about 90 Directors, permanent Directors and temporary Directors. There are Additional Directors, Joint Directors, Deputy Directors and temporary Additional Directors. The Bill Bhawan is bursting like anything.

What are their functions? Some hon. Members have suggested that powers must be delegated to the Zonal Managers. These questions have to be studied seriously. If necessary you

[Shri M Kalyanasundaram.]

better appoint a Committee to study the functioning and the size of the Railway Board. The reorganisation of the Railway Board will not brook any delay. The total expenditure on the Railway Board comes to about Rs 25 crores. That is not the point. But its size is increasing. That will demoralise the Zonal Railways. Therefore it is necessary to reorganise the Railway Board.

Not only the workers were victimised but some lines were closed and some trains were canceled. The lines which were closed must be re-opened and the trains which were unnecessarily cancelled must be resumed in the interest of service. For instance, in the Southern Railway a length of 9 miles from Neodamangalam to Manargudi was unnecessarily closed. It is an essential service to the students attending the colleges there. Such small things can be restored without any additional financial commitment and the grievances of the local people there can be removed.

Coming to the allotment of funds for the new lines the allotment for the Tirunavelli Cape Comorin Trivandrum lines has been very much scaled down. There is a general complaint that the allotment for new constructions has been cut down. Similarly, for electrification of the line between Madras Central and Vijayawada the allotment has been cut down. Then the Madras Central-Arakonam line has also been kept pending because of want of funds.

13 00 hrs.

Another thing is the Metropolitan scheme. With regard to the Madras City all that was attempted was a study. That study is finished, but what about the scheme as such? Will it see the light of the day is the anxious question of the people of Madras. The suburban railway service in Madras is not adequate and the road trans-

port service is also not adequate because of the narrow streets.

*MR. SPEAKER Please conclude, this is only a vote on account.

SHRI M KALYANASUNDARAM
There is one more point with regard to the production units, which is a very important matter. The three production units are the pride of the nation and a complement to our economic policy of self-reliance. But they are working only to half their capacity. The Integral Coach Factory can produce 900 coaches a year, but it is now producing less than 500. Our workshops can construct wagons of our own.

MR. SPEAKER As I have said this is only a vote on account please conclude.

SHRI M KALYANASUNDARAM
As he is going to prepare the Budget I thought I would give some suggestions.

MR. SPEAKER We now adjourn for Lunch and will meet again at 2.00 p.m.

The Lok Sabha adjourned for Lunch till Fourteen of the Clock.

The Lok Sabha reassembled after Lunch at Three Minutes past Fourteen of the Clock.

[SHRI TRIDIB CHAUDHURY in the Chair]

RAILWAY BUDGET, 1977-78

AND

DEMANDS FOR GRANTS ON ACCOUNT (RAILWAYS), 1977-78—Contd

THE MINISTER OF RAILWAYS (PROF. MADHU DANDAVATE) Mr. Chairman, Sir, I am thankful to the hon. Members on both sides of the House who have participated and made

some constructive suggestions regarding the functioning of the railways. At the very outset let me make it quite clear that there are certain limitations within which we are functioning at the time of presentation of this mini-budget. This is not a full fledged Railway Budget but is just a Vote on Account and because of the limitations placed on us it is not possible to deal with the problems elaborately in all their comprehensive character. Therefore within the framework of these limitations certain propositions have to be put forward. Some of the policy issues that have been raised cannot be adequately dealt with at this stage for the very simple reason that while we took over the administration we had to face the hang overs of the past and unless we are able to clear the slabs it will not be possible for us to lay down certain firm policies to which we are irrevocably committed.

At the very outset I would like to spell out some of the policies which were indicated in my budget speech earlier. Both sides of the House have welcomed the categorical statement that all the railway employees who have been either suspended or dismissed as a sequel to their participation in the 1974 strike will be unconditionally reinstated. I would like to go a step further and say that it has been done not merely in response to the suggestions that have come on the floor of the House from Members like Shri Samar Mukherjee and others. I may take the House into confidence and tell the Members of this House that after the presentation of the budget proposals to this House I had immediately a meeting with the Chairman of the Railway Board and tried to spell out the various steps that are to be taken in pursuance of the policies that were enunciated here. I would like to spell out some of the details of the policy regarding reinstatement of the victimised workers. I would like to make it explicitly clear that the entire issue would not

be kept hanging. Unfortunately in the past whenever an assurance was given, there was a lacuna in implementation.

Therefore after discussing the matter with the Railway Board we have categorically instructed the authorities concerned that all the aspects of reinstatement are to be completed within a period of six weeks and after that I would not like to see a single victimised worker in the railways. This is a categorical assurance that I would like to give.

SHRI VASANT SATHE (Akola)
They must be reinstated with back wages.

PPOF MADHU DANDAVATE
After your having put them behind the bars and having victimised them we do not want crocodile tears from you.

SHRI K GOPAL (Karur) The hon. Minister must ensure that what he says will be implemented.

SHRI SOMNATH CHATTERJEE (Jadavpur) No action has been taken in the case of those railway employees who have won their cases in the court.

PROF. MADHU DANDAVATE I had asked for all the details and within twenty-four hours all these details have been collected and I would like to tell the House the break-up of the staff removed as a sequel to the May 1974 strike.

Permanent staff removed—16 893

The number of persons taken back as a sequel to the constant pressures from within the House and outside the House—16 271

The number yet to be put back—
627

The number where employees have gone to the court—310

[Prof Madhu Dandavate]

After my assurance that all these workers will be reinstated I am sure that these workers and their representative organizations will withdraw the e cases, rather than relying on the courts let them rely on the strength of the working class and the assurance of the Railway Minister

The number of staff still under suspension is 53. The most important is the number of casual labourers discharged from service 24570. The number yet to be taken back is 5161. I assure you that not only the permanent staff members, not only the temporary staff members but also the casual staff members will be taken back. It is being further clarified that in the case of all the reinstated railway workers, the seniority will be retained and the entire break in service will be condoned. These are the categorical decisions that have been taken and will be implemented.

In the course of the discussion, a number of friends have made concrete and constructive suggestions. I would like to mention that problems like opening of new railway lines in the under developed areas have been actually engaging the attention of our Ministry right from the moment we have taken charge. I want to make it clear that we have said that we will function within the framework of Gandhiji's ideals and one of the basic concepts of Gandhiji's ideology is that there must not be imbalance between urban India and rural India. Therefore all the necessary infrastructure for the development of backward areas will have to be developed. This infrastructure is going to be provided by the railways. Therefore in all the backward areas where the construction of lines is pending we will expedite the matter.

If there are financial difficulties, we will discuss the matter with the authorities and the institutions concerned. I do not want to spell out

the problem. But we have already applied our mind on how to mop up the resources, if the resources are lacking.

I was very sorry to listen to the stray remark made by Shri Qureshi while participating in the debate on the Budget. He probably indirectly made a reference to the Konkan Railways and he threw a hint that the Railway Minister is not a Minister for Maharashtra, and therefore he must not take a parochial attitude but he must think in terms of the country as a whole. He must think of Jammu and Kashmir as much as he thinks in terms of Maharashtra.

Firstly I may make it very clear as far as the West Coast Konkan Railway is concerned it does not affect Maharashtra State from which I come. I am not over proud of being a Maharashtrian. I am also not ashamed of being a Maharashtraian. Of course I am proud of being an Indian. Therefore there is no question of entering into a certain amount of parochialism.

I would like to explain to Shri Qureshi the geography of the country. If he is not prepared to understand or follow politics from me, at least he should understand geography. Geography indicates West Coast Konkan Railway may start from Maharashtra. It will touch Goa State. It will touch Mysore State. It will touch Kerala State. It will touch part of Tamil Nadu State and, therefore naturally integration can be brought about. That is the aspect which has to be borne in mind.

Those who have applied their mind to the West Coast Railway from the point of view of national integration will appreciate that if we are able to integrate and inter-connect all these regions of Maharashtra, Tamil

Nadu Kerala Mysore that will probably be the living link of integration in this country and in the same spirit I can assure the former Minister for Railways that as far as Jammu and Kashmir is concerned we consider that also as one of the backward regions of this country. We will therefore give our adequate attention to the development of these lines.

Yesterday I made a reference to parts of Madhya Pradesh parts of Orissa and North Eastern Frontier. If I had referred to them these were illustrative and not exhaustive. If you read the speech very correctly I said backward regions like these regions and therefore they will be attended to. When I talk in terms of backward areas of Maharashtra whether it is Konkan Marathwada or Vidharbha I need not spell it out. It is implied.

I wish to make it explicitly clear though I come from one particular State even if I do not become a Minister when I am elected to the Lok Sabha I will not become representative of my constituency only but I will represent the whole of the country. It is only in that spirit I will apply my mind to all the problems.

In some cases there is no question of allocating new resources. My friend Prof Swami had already indicated Chambur-Mankhurl line. That was on the anvil, but due to certain deficiency that was set aside. Such instances are there due to delay and inefficiency that had not been started. All the projects will be undertaken without delay. And where there are financial difficulties we will try to get over them.

SHRI VASANT SATHE I hope you do the same thing about Amravati.

PROF MADHU DANDAVATE When I am quoting certain things these are only illustrative.

SHRI DHIRENDRANATH BASU (Katwa) Metropolitan Transport Project Calcutta is a project for Rs 250 crores. Only a sum of Rs 10 crores has been provided for in the Budget. It will take 25 years in this way for it to be completed if the fund is provided at this rate. Calcutta has 8 million people and as such completion of this project requires priority. I would request the hon Minister to provide adequate amount—at least Rs 100 crores—for completion of the project.

MR CHAIRMAN He has taken note of your point.

PROF MADHU DANDAVATE I am not all disturbed by the intervention made by the hon Member because what the hon Member has said represents the pangs of his anger. That is born out by his legitimate complaint. I have made the position very clear. As an illustration I have referred to Jammu and Kashmir the case which was put forward by one of the hon. Members from the other side of the House. I can assure hon Members that as far as various projects are concerned whether they are sponsored by members on that side or on this side of the House these will be considered on merits and these will be judged on merits and suitable action will be taken.

Many things have been said about the Railway Board. I cannot forget what I myself said while I was sitting on that side of the House. I can assure hon Members that we will go into the full details about the functioning of the Railway Board. I have got here the Manual which tries to explain as to what exactly the position of the Railway Board is. The Railway Board was first constituted under the Indian Railway Act of 1905 for controlling the administration of Railways in India. It

[Prof Madhu Dandavate]

functions as the Ministry of the Government of India and exercises all the powers of the Central Government in respect of regulation, construction maintenance and operation of Railways. By virtue of the inclusion of the Financial Commissioner for Railways in its constitution, the Railway Board also exercises the full powers of the Government of India in regard to Railway expenditure. I wish to assure members on both sides of the House that considering the persistent complaints which have been voiced by members on both sides of the House about the functioning of the Railway Board, we will go into the functioning of the Railway Board in detail and if we find that some sort of restructuring of the Railway Board is necessary we shall certainly come forward with the necessary changes which may be required.

PROF P G MAVALANKAR (Gandhinagar) Will the hon. Minister give an assurance about changing the Railway Code also, which is out-of-date? This is a point which has been agitated by hon. Members earlier also. Will the hon. Minister kindly look into it?

PROF MADHU DANDAVATE Please allow me to complete what I wanted to say. I may tell you something about it. In his speech the former Railway Minister had put forward a distorted version of what had happened in the past. He said this regarding the demands that were put forward by the All India Railwaymen's Federation and NCCR. There were references to national wage; there were references to bonus; to minimum wage and job evaluation. Having rejected all these demands the former Railway Minister says things in this manner. Let me put the facts correctly. I wish to put the record straight. Before the railway workers went on strike here are some of the important incidents that

took place. There was a six-point charter which was submitted to the former Railway Minister on 8-11-73. A postcard acknowledgment was given. There was no reply to the memorandum sent on behalf of the NCCR. It came into existence on 2nd March, 1974. On March 5, 1974, the NCCR submitted a detailed memorandum of demands which was in line with the demands made by the AIRF.

There was no reply to that. On 27th April, 1974—this is very important—when negotiations were started with the representatives of the Railwaymen, these negotiations were attended to by Shri S. A. Dange and Shrimati Parvati Krishnan, an honourable Member of this House.

Then the next meeting was fixed. I am deliberately indicating that so that all the Members of this House, specially, the new Members of the House would know the method of functioning of the Members who are now sitting in the opposite side. The next meeting was fixed on the 2nd May. The Minister told Shri George Fernandes that on 2nd May we would sit together when most of the issues would be thrashed out. It almost appeared that some sort of a *via media* was being found out. It was made very clear by the NCCR that they would put forward certain assurances. They also know the economic situation in the country and financial resources of this country. Therefore, even if hundred per cent conceding of this demand is not possible, let us sit round the table and let us suggest that what type of an interim relief could be given to the workers and then let us see about the long-term fulfilment of their demands. That was the assurance given. The late Shri L. N. Mishra was also in that particular mental attitude of sitting together so as to avert this strike. Let us consider as far as their immediate demands were concerned and then we will consider about what their long-term position will be. The former Ministry felt

that if the late Shri Mishra had come to a certain limited compromise with the railway employees in that case what would happen to their prestige I personally feel that almost efforts were made by Government to avert the strike by the railwaymen. That is indicated by the fact that the next meeting was fixed on 2nd May 1974 in consultation with the former Railway Minister Shri L. N. Mishra. On 1st May Shri George Fernandes was addressing a May Day public rally at Lucknow—this is a very interesting aspect—and Mr Mishra had told him that on the day when he would be addressing the rally at Lucknow he would send a special plane there to bring him at the negotiating table. No doubt he kept that part of his promise he did send a special plane—not to bring Shri George Fernandes at the negotiating table but to take him to the Tihar Jail' (Interruptions). As a result of that I wish to make it clear here that the NCCR and the AIRF were formulating their demands which were negotiable but that an interim relief could be granted. In that case we could think about cent per cent implementation at a later stage. But in the Ministry some members felt that if these demands were even partially granted in that case probably the leadership of the All-India Railwaymen's Federation NCCR and other organisations which were participating in that meeting could go up their prestige could go up. On this more prestige they precipitated the matter and arrested Shri George Fernandes. After all they were willing to go on strike because of that right from the very next day but still some score was left or till 8th of May when further settlement could be brought about. Doors were not closed until 8th of May 1974 when the railwaymen went on strike. This is the perspective that I want to give. The Railway Minister intervened in that debate and distorted the facts. Therefore to end those distortions I have to refer to all that.

Incidentally, Shri Qureshi said that they stood for discipline of workers whereas I say that they stood for the disruption of workers. Shri Samar Mukherjee has rightly pointed out that there could be two types of discipline—there could be two types of peace—peace of the satisfied men and the peace of the graveyard—both of them are not same. There is an element of difference between the two. Similarly I wish to tell you very clearly that these people had precipitated this matter and all sorts of allegations were made. Some allegations had also been repeated by the former Railway Minister on the floor of the House. He said that the economic situation in the country was bad and that some men were starving when actually the leadership of the railwaymen's struggle wanted to bring about a chaos by causing further starvation to the workers and peasants. On the contrary so many were thrown out. And that led to the railway strike in 1974. After that the very first election took place when Shri Fernandes had been returned to this House with a big majority of three lakh votes. This I would like the House to record.

And therefore people have not accepted the fact that those who were resorting to legitimate trade union action were trying to bring anarchy in the country or were trying to plunge the country into darkness. That was not the perspective of the people otherwise many hon. Members who led the railway strike would not have been here and as such I would like to clarify this issue which had been raised in the course of this debate.

So we have been asked whether we will accept the demand of bonus or the demand for subsidised food system for the railway employees. I wish to make it clear that as far as bonus issue is concerned this issue has been complicated by the former Government. They have not stood by

[Prof Madhu Dandavate]

their policy. When many of us were behind the bars during the Emergency they changed the old policy and while they were changing the bonus policy they have changed the entire bonus policy. A new legislation has been brought and they want us to say here and now whether we will concede the demand for bonus for railway workers. We wish to make it quite clear that since they have evolved a national bonus policy for the country first we will have to bring legislation to reverse that. We will examine the entire issue in depth. We will also gauge the resources of the country. I wish also to remind the hon. Members on the other side of the House that when we had made a demand for bonus we had said that if you are not able to concede the demand, please accept it in principle and let us see how it will be implemented. On behalf of our Organisation and Janata Party it has been made clear by the Labour Minister for Janata Sarkar that we accept the bonus not as an ex gratia payment but as 'deferred wage'. That has already been announced.

SHRI VASANT SATHE In the light of what you are saying will you give some interim relief?

PROF. MADHU DANDAVATE Sir, what these people have not been able to do in the course of last 30 years they expect us to do in three years. Give us adequate time and then you will see. We will examine all the issues as far as bonus is concerned. We are committed to examine the entire question of bonus and reverse the earlier policy.

The hon. Member Shri Patil has made a number of constructive suggestions. As far as the construction of new lines and as far as decentralisation of railway administration is concerned he has made a number of

constructive suggestions. The Railway Ministry will examine all those constructive suggestions in depth and try to implement them.

Shri Mohanaragam has made a very significant and radical suggestion. He has pointed out that even in railways we have the existence of what we call bonded labour. He wants that the bonded labour should be liberated. We stand committed to the liberation of every form of bondage that exists in the field of industry and it will be our constant endeavour that bonded labour system is completely ended.

There is one more aspect to which I want to make a reference. In the course of the railway strike certain developments had taken place. We have already clarified as to what will happen as far as retrenched workers are concerned. There is another problem of what we generally call 'black legs' in the trade-union parlance and what they call as 'loyal workers'. They were given a number of advance increments. We do not want to take a revengeful attitude. Those who have got jobs we will not throw them out because they came in place of strikers.

We will see to it that those who have been removed on account of participation in the strike will be brought back. I checked the statistics with the Railway Board authorities and I found that without disturbing those who have been appointed in the railway industry without disturbing them and distressing them it will be possible for us to get the retrenched workers back to work but at the same time we would sound a warning to all the workers that they must stand solidly and unitedly with the working class in the country. We do not want to take a revengeful attitude. For instance, as far as advance increments are concerned, five lakhs

of industrial workers from the railways have been given advance increments. We do not want to take a revengeful attitude and only because we have come into power we will try to smash all those things. We will only say that in the future we will not have the substitution of black legs in place of the strikers and we will not give increment to those who are the so-called loyal workers but who can be described as black legs and to them in the future also we will never be prepared to pay the wages of betrayal of the working class. That is the attitude that we have to take.

Sir there is only one more point and have done Sir it is a matter of common experience that as far as the railway industry is concerned there is a lot of corruption. Of course corruption is there in every sphere of human activity in India. But as far as the railways are concerned there is a lot of corruption. Sir probably you may recall that under the Chairmanship of Acharya Kripalani an Enquiry Committee to enquire into the corruption in railways had already been set up. That Enquiry Committee has brought out a number of findings. They were devastating findings and they tried to reveal the dimensions of corruption in the country. We will try our best to see that some of those important recommendations of Acharya Kripalani Committee which exposed the corruption from top to the bottom will be effectively implemented and we will tackle corruption in railway industry.

In conclusion I would like to point out to the Members of the Opposition that when I was speaking out here and when I tried to not forward the performance of the industry in the course of the year you were very much enthusiastic and some of my colleagues felt the embarrassment. But I wish to make it clear that this is not something new. I may recall the

letter that George Fernandes exchanged with L N Mishra from the jail in 1974. That was not the time of Emergency. It has nothing to do with the Emergency situation. It has nothing to do with Anusashan parve, a new phrase that has been coined by Shri Vinoba Bhave and has been sent to us through Shri Sathe. I am not referring to it. But I want to point out to you that in that letter sent by Shri George Fernandes to Shri L N Mishraji he has given all the details and giving the facts and figures Shri George Fernandes has tried to convince the Government how the railway workers have contributed in building up the resources for the country. They have built up not only the resources of the railways but they have also contributed to the general running of the railways in the country and to that extent they helped in stabilising the economy of the country. These are the facts and figures which were put forward before the Government by George Fernandes when he was in jail and he said that the credit of all these achievements goes not to the Railway Ministry but to the railway workers who poured their sweat and toil into the industry and were able to mop up the industry. It is only in that spirit Sir I have mentioned a number of things and in conclusion I may say that if some lacunae are left out and if there are certain disputes we will fully explore the assistance and the cooperation of the trade union machinery. We will not try to arrive at a settlement with the help of an iron rod but we will try to establish the settlement with the workers by willing cooperation of the trade unions in the country. That is the only way in which one who is committed to radical policies in the country will function in the House and in that manner the Railway Ministry will function.

SHRI T A PAI (Udipi) On behalf of my Party Sir I would like to assure the Railway Minister that we

(Shri T. A. Par)

would not accuse him of any parochialism if he completes the Mangalore-Bombay West coast railway line for the very reasons which he has given out. We, on our part, had ordered the Railway Board for up-dating this information and I hope that it will be implemented. If at all there has been any reference, only partly to any railway line, I hope you won't accuse anybody of any parochialism in this matter.

PROF MADHU DANDAVATE
We have not done that. Nobody has done that.

SHRI BASHIR AHMAD (Fateh pur) Sir, you also include compulsorily retired personnel in the list of victimised staff. Kindly clarify the position.

PROF MADHU DANDAVATE
I made it clear indirectly. In the course of the railway strike, some were suspended, some dismissed and some forced to retire. The last category will also be considered as cases of victimisation and they will be brought back.

also the Ernakulam Alleppey coastal railway for which the people of Kerala are very much anxious and interested.

PROF MADHU DANDAVATE As regards this specific question, where survey has been complete but due to certain reasons construction work has not been taken up in those cases whenever resources are available those works will be continued. Even if there are difficulties regarding resources we will try our best to see that the commitment is completed.

SHRI J. RAMESHWAR RAO (Mahabubnagar) I would like to draw the hon. Minister's attention to the Bibinagar Nadukudi line in this context because it has been sanctioned and work is supposed to have started. It is in the area of the Nagarjuna Sagar hinterland where there is a lot of traffic developing. We want to know if work on this will proceed expeditiously.

MR CHAIRMAN It is already covered.

SHRIMATI PARVATHI KRISHNAN I would like an assurance on one point. Victimisation of workers has been not only in regard to dismissals that took place but penal transfers and stoppage of increments and so many other things. Will be rescind those penal measures that were taken during the 1974 strike?

PROF MADHU DANDAVATE I have already said that whatever the consequences of victimisation and allied problems they will be dealt with on par. We have already discussed the problem. Therefore I can give this assurance.

SHRI DHIRENDRANATH BASU
On a clarification.

MR CHAIRMAN No, this is not a full railway budget debate.

SHRI DHIRENDRA NATH BASU I want to ask about the electrification of the railway line from Bandel to Katwa and doubling of the line from Bongaon to Sealdah and Katwa to Bandel. This matter has been hanging since long.

MR CHAIRMAN Order order there has been sufficient discussion I shall now put all the cut motions together to the vote of the House.

Some hon Members Yes Yes

Cut motions Nos 1 to 45 were put and negatived

MR CHAIRMAN The question is

That the respective sums not exceeding the amounts shown in the third column of the order paper be granted to the President out of the Consolidated Fund of India on account for or towards defraying the charges during the year ending on the 31st day of March 1978 in respect of the heads of demands entered in the second column thereof against Demands Nos 1 to 11 11A 12 to 16 21 and 22

The motion was adopted

1440 hrs

APPROPRIATION (RAILWAYS)
VOTE ON ACCOUNT BILL* 1977

THE MINISTER OF RAILWAYS (PROF MADHU DANDAVATE) Sir I beg to move for leave to introduce a Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of India for the services of a part of the financial year 1977-78 for the purpose of Railways.

MR CHAIRMAN The question is

That leave be granted to intro

duce a Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of India for the services of a part of the financial year 1977-78 for the purpose of Railways.

The motion was adopted

PROF MADHU DANDAVATE
Sir I introduce the Bill

Sir I beg to move

That the Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of India for the services of a part of the financial year 1977-78 for the purpose of Railways be taken into consideration."

MR CHAIRMAN The question is

That the Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of India for the services of a part of the financial year 1977-78 for the purposes of Railways be taken into consideration.

The motion was adopted

MR CHAIRMAN The question is

That Clauses 2 and 3 the Schedule Clause 1 the Enacting Formula and the Title stand part of the Bill."

The motion was adopted

Clauses 2 3 the Schedule Clause 1 the Enacting Formula and the Title were added to the Bill

PROF MADHU DANDAVATE

Sir I beg to move

That the Bill be passed

MR CHAIRMAN The question is

That the Bill be passed"

The motion was adopted

*Published in Gazette of India Extraordinary Part II section 2 dated 29.3.77

Introduced/moved with the recommendation of the Vice President acting as President

1443 hrs

SUPPLEMENTARY DEMANDS* FOR
GRANTS (RAILWAYS) 1976-77

MR CHAIRMAN I shall now put Railway supplementary demands for grants to the vote of the House. The question is

That the respective Supplementary sums, not exceeding the amounts shown in the third

column of the order paper be granted to the President out of the Consolidated Fund of India to defray the charges that will come in course of payment during the year ending the 31st day of March, 1977, in respect of the following demands entered in the second column thereof—

Demands Nos 3 7 to 10 11A 12,
14 to 16, 18, 19 and 21*.

The motion was adopted

*List of Supplementary Demands for Grants (Railways), 1976-77
voted by the Lok Sabha*

No of Demand	Name of Demand	Amount of Demand for Grant
3	Payments to Worked Lines and Others	16,40,000
7	Working Expenses—Operation (Fuel)	2,83,46,000
8	Working Expenses—Operation other than Staff and Fuel	3,53,30,000
9	Working Expenses—Miscellaneous Expenses	2,00,87,000
10	Working Expenses—Staff Welfare	79,29,000
11A	Working Expenses—Appropriation to Pension Fund	5,00,00,000
12	Dividend to General Revenues and Contribution for Grants to States in lieu of Passenger Fare Tax	3,70,10,000
14	Construction of New Lines—Capital and Depreciation Reserve Fund	3,00,26,000
15	Open Line Works—Capital, Depreciation Reserve Fund and Development Fund	43,17,16,000
16	Pensionary Charges—Pension Fund	12,63,85,000
18	Appropriation to Development Fund	15,70,80,000
19	Appropriation to Revenue Reserve Fund	10,97,70,000
21	Appropriation to Accident Compensation, Safety and Passenger Amenities Fund	83,28,000

*Moved with the recommendation of the Vice-President acting as President

1444 hrs

**APPROPRIATION (RAILWAYS)
BILL,* 1977**

**THE MINISTER OF RAILWAYS
(PROF MADHU DANDAVATE)**
Sir I beg to move for leave to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1976-77 for the purposes of Railways

MR CHAIRMAN The question is
"That leave be granted to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1976-77 for the purposes of Railways"

The motion was adopted

PROF MADHU DANDAVATE
Sir I introduce the Bill

PROF MADHU DANDAVATE
Sir I beg to move†

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1976-77 for the purposes of Railways be taken into consideration"

MR CHAIRMAN The question is

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1976-

77 for the purposes of Railways, be taken into consideration"

The motion was adopted

MR CHAIRMAN We shall now take up the Clauses The question is

That Clauses 2, 3 the Schedule, Clause 1 the Enacting Formula and the Title stand part of the Bill

The motion was adopted

Clauses 2 3, the Schedule Clause 1, the Enacting Formula and the Title were added to the Bill

PROF MADHU DANDAVATE I beg to move

"That the Bill be passed"

MR CHAIRMAN The question is
"That the Bill be passed"

The motion was adopted

1446 hrs.

**GENERAL BUDGET, 1977-78
AND**

**DEMANDS FOR GRANTS ON
ACCOUNT, 1977-78**

MR CHAIRMAN Now we shall take up Items 12 and 13 that is, General Discussion on the Budget (General) for 1977-78 and the Discussion and Voting on the Demands for Grants on Account in respect of the Budget (General) for 1977-78

Motion moved

"That the respective sums not exceeding the amounts on Revenue Account and Capital Account shown in the third column of the order paper be granted to the President

*Published in Gazette of India Extraordinary, Part II, section 2, dated 29.3.77

†Introduced/moved with the recommendation of the Vice-President acting as President

‡Moved with the recommendation of the Vice-President acting as President

[MR. CHAIRMAN]
out of the Consolidated Fund of
India on account for or towards
defraying the charges during the
year ending on the 31st day of

March, 1978, in respect of the heads
of demands entered in the second
column thereof against Demands
Nos 1 to 109 "

*List of Demands for Grants on Account (General) for 1977-78
submitted to the vote of Lok Sabha*

No of Demand	Name of Demand	Amount of Demand for Grant on account	
1	2	3	
		Revenue Rs.	Capital Rs.
MINISTRY OF AGRICULTURE AND IRRIGATION			
1	Department of Agriculture	81,41,000	.
2	Agriculture	62,85,93,000	173,68,30,000
3	Fisheries	7,06,12,000	3,82,74,000
4	Animal Husbandary and Dairy Development] .	18,72,66,000	2,20,50,000
5	Forest	5,39,52,000	46,67,000
6	Department of Food	2,03,08,79,000	14,72,51,000
7	Department of Rural Development	45,69,88,000	5,68,07,000
8	Department of Agricultural Research and Education .	2,53,000	.
9	Payments to Indian Council of Agricultural Research	19,49,75,000	..
10	Department of Irrigation	7,93,01,000	2,47,25,000
MINISTRY OF CHEMICALS AND FERTILIZERS "			
11	Ministry of Chemicals and Fertilizers	14,35,000	..
12	Chemicals and Fertilizers Industries	25,000	1,56,79,64,000
MINISTRY OF CIVIL SUPPLIES AND COOPERATION			
13	Ministry of Civil Supplies and Cooperation .	12,27,000	..
14	Civil Supplies and Cooperation	7,57,74,000	7,21,16,000
MINISTRY OF COMMERCE			
15	Ministry of Commerce	48,50,000	
16	Foreign Trade and Export Production	1,31,54,80,000	106,22,44,000
MINISTRY OF COMMUNICATIONS			
17	Ministry of Communications	54,34,000	4,27,33,000
18	Overseas Communications Service	3,59,10,000	2,83,45,000

1	2	3
19	Posts and Telegraphs—Working Expenses . . .	2,03,52,45,000 ..
20	Posts and Telegraphs—Dividend to General Revenues, Appropriations to Reserve Funds and Repayment of Loans from General Revenues . . .	54,56,43,000 .
21	Capital Outlay on Posts and Telegraphs . . .	115,02,67,000
MINISTRY OF DEFENCE 3		
22	Ministry of Defence . . .	24,05,94,000 17,08,68,000
23	Defence Services—Army . . .	598,83,47,000
24	Defence Services—Navy . . .	62,58,65,000
25	Defence Services—Air Force . . .	191,84,23,000
26	Defence Services—Pensions . . .	37,15,02,000
27	Capital Outlay on Defence Services . . .	102,10,01,000
MINISTRY OF EDUCATION AND SOCIAL WELFARE		
28	Department of Education . . .	52,53,000
29	Education	62,46,11,000 26,90 000
30	Department of Social Welfare . . .	6,76,70,000
MINISTRY OF ENERGY		
31	Ministry of Energy	22,75,000
32	Power Development	17,28,69,000 48,52,31,000
33	Coal and Lignite	7,67,63,000 113,10,00,000
MINISTRY OF EXTERNAL AFFAIRS		
34	Ministry of External Affairs	38,33,79,000 2,80,47,000
MINISTRY OF FINANCE		
35	Ministry of Finance	10,28,04,000 ..
36	Stamps	7,82,57,000 38,26,000
37	Audit	19,75,00,000 ..
38	Currency, Coinage and Mint	16,11,77,000 8,35,12,000
39	Pensions	17,78,50,000 .
40	Transfers to State and Union Territory Government . . .	182,48,33,000 ..
41	Other Expenditure of the Ministry of Finance . . .	59,81,33,000 155,32,73,000
41	Loans to Government Servants, etc. . . . .	.. 19,33,33,000

1	2	3
DEPARTMENT OF REVENUE AND BANKING		
43	Department of Revenue and Banking	2,22,19,000 35,33,49,000
44	Customs	8,91,74,000 ..
45	Union Excise Duties	15,89,20,000 ..
46	Taxes on Income, Estate Duty, Wealth Tax and Gift Tax	14,77,60,000 ..
47	Opium and Alkaloid Factories	21,69,97,000 24,50,000
MINISTRY OF HEALTH AND FAMILY PLANNING		
48	Ministry of Health and Family Planning	28,17,000 ..
49	Medical and Public Health	38,85,35,000 19,31,41,000
50	Family Planning	43,38,28,000 4,67,000
MINISTRY OF HOME AFFAIRS		
51	Ministry of Home Affairs	87,62,000 ..
52	Cabinet	61,73,000 ..
53	Department of personnel and Administrative Reforms	2,73,08,000 ..
54	Police	72,50,83,000 2,16,67,000
55	Census	1,26,79,000
56	Other Expenditure Ministry of Home Affairs	52,34,16,000 19,39,58,000
57	Delhi	44,13,63,000 26,47,00,000
58	Chandigarh	6,51,55,000 3,13,76,000
59	Andaman and Nicobar Island	7,74,24,000 3,77,87,000
60	Dadra and Nagar Haveli	78,96,000 70,04,000
61	Lakshadweep	1,52,34,000 52,13,000
MINISTRY OF INDUSTRY		
62	Ministry of Industry	1,05,87,000 ..
63	Industries	7,98,69,000 80,74,89,000
64	Village and small Industries	12,81,28,000 10,82,78,000
MINISTRY OF INFORMATION AND BROADCASTING		
65	Ministry of Information and Broadcasting	27,95,000
66	Information and publicity	6,62,44,000 27,57,000
67	Broadcasting	19,55,04,000 8,53,59,000
MINISTRY OF LABOUR		
68	Ministry of labour	28,33,000 ..

1	2	3
69	Labour and Employment	22,46,00,000 3,15,000
	MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS	
70	Ministry of Law, Justice and Company Affairs	4,43,60,000 ..
71	Administration of Justice	12,56,000 .
	MINISTRY OF PETROLEUM	
72	Ministry of Petroleum	21,49,000 ..
73	Petroleum and Petro-Chemicals Industries	21,73,61,000 144,97 14,000
	MINISTRY OF PLANNING	
74	Ministry of Planning	2,70,000
75	Statistics	4,48,70,000
76	Planning Commission	2,25,75,000 .
77	Department of Science and Technology	6,92,55,000 55,00,000
78	Survey of India	6,24,57,000
79	Grants to Council of Scientific and Industrial Research	17,17,09,000
	MINISTRY OF SHIPPING AND TRANSPORT	
80	Ministry of Shipping and Transport	99,24,000
81	Roads	30,80,99,000 32,68,04,000
82	Ports, Lighthouses and Shipping	10 58,01,000 72,72,88,000
83	Road and Inland Water Transport	20,78,000 2,85,53,000
	MINISTRY OF STEEL AND MINES	
84	Department of steel	26,31,04 000 1,86,59,12,000
85	Department of Mines	10,67,000 ..
86	Mines and Minerals	14,50,80 000 22,49,00,000
	MINISTRY OF SUPPLY AND REHABILITATION	
87	Department of Supply	8,14,000 ..
88	Supplies and Disposals	2,54,58,000 ..
89	Department of Rehabilitation	8,41,75,000 3,17,76,000
	MINISTRY OF TOURISM AND CIVIL AVIATION	
90	Ministry of Tourism and Civil Aviation	18,70,000 ..
91	Meteorology	5,75,05,000 1,23,45,000
92	Aviation	8,28,34,000 12,60,52,000
93	Tourism	1,54,92,000 2,61,67,000

1	2	3
MINISTRY OF WORKS AND HOUSING		
94	Ministry of Works and Housing	41,80,000 .
95	Public Works	21,49,55,000 9,80,26,000
96	Water Supply and Sewerage	1,00,37,000
97	Housing and Urban Development	4,39,22,000 11,10,75,000
98	Stationery and Printing	10,51,73,000
DEPARTMENT OF ATOMIC ENERGY		
99	Department of Atomic Energy	16,96,000
100	Atomic Energy Research Development and Industrial Project	21,95,70,000 31,71,41,000
101	Nuclear Power Schemes	13,92,89,000 19,34,68,000
DEPARTMENT OF CULTURE		
102	Department of Culture	3,03,99,000
103	Archaeology	2,26,66,000
DEPARTMENT OF ELECTRONICS		
104	Department of Electronics	2,92,33,000 1,45,43,000
DEPARTMENT OF SPACE		
105	Department of Space	12,99,72,000 2,91,61,000
PARLIAMENT, DEPARTMENT OF PARLIAMENTARY AFFAIRS, SECRETARIATS OF THE PRESIDENT AND VICE PRESIDENT AND UNION PUBLIC SERVICE COMMISSION		
106	Lok Sabha	1,54,10,000 .
107	Rajya Sabha	65,45,000
108	Department of Parliamentary Affairs	6,43,000
109	Secretariat of the Vice President	1,88,000

MR CHAIRMAN Mr Subramaniam.

SHRI C. SUBRAMANIAM (Palam)
Mr Chairman Sir, in my parliamentary career, for the last quarter of a century this is my maiden performance as an Opposition Member. May I congratulate the Prime Minister and his colleagues for having assumed the responsibility of governing the country at this very critical time. There were apprehensions that we would not have smooth elections, that we would not have smooth

transfer of power, all sorts of ghosts were being raised, all sorts of rumours were being spread. But even though I belong to the defeated party—the Congress Party—I would like to congratulate the country as a whole on the way in which the election has been conducted and the way in which democracy has functioned in this country. I am sure the people would also appreciate how gracefully the former Prime Minister accepted the verdict of the people. (Interruptions)

14 49 hrs

14 49 hrs.

MR SPEAKER Sir, I would plead with you that after all they are in the Government and they are the ruling party. We are entitled to have our say and I am the first speaker on the Budget. I hope you will be interested to know what I have got to say in view of the fact that I have been the custodian of the economy of this country during this critical period. But if they think that because of arrogance of victory, they should not allow me to speak.

(Interruptions) Sir, at the same time I would like to point out, particularly to the Prime Minister and his colleagues that there is a particular pattern of the people's verdict which will have to be taken note of. The whole of the South has given a particular pattern of verdict. Are you going to say that it is of no consequence what the South thinks about the political situation? Are you going to say that the non-Hindi-speaking people are a matter of no concern for us? Therefore when I said that the verdict of the people has been gracefully accepted by the former Prime Minister, I want to point out to the present Prime Minister that there has been a particular pattern in the verdict particularly in the southern States by 17 crores of people and this will have to be kept in mind.

I am sorry I have some more unpleasant things to say. Even the three members who adorn the Janata Party from Tamil Nadu today did not come as Janata Party people. They came in the disguise of Congress (O). They came not by hoisting the Janata flag or by adopting the Janata symbol but by adopting the old Congress (Organisation) flag and symbol. Trading in the name of Kamaraj, these three escaped the verdict of Tamil Nadu. If they had dared to stand on the Janata symbol, they

would have learnt what would have been their fate. It does not stop there. Take all the mighty Janata heroes—Shri George Fernandes, Shri Madhu Lamaye, Shri Ravindra Varma, Shri H. V. Kamath—all of them sought political asylum in the enlightened State of Bihar, instead of facing people in their own home State. (Interruptions) I am sure there will be greater opportunities to deal with these aspects when the President's Address is discussed, but I thought taking advantage of the debate on the General Budget, I could make some observations on the political situation also.

I would like to congratulate the hon. Finance Minister on the presentation of his first budget, even though I am sorry I have nothing to congratulate him upon so far as the contents of the budget speech are concerned. There is nothing much stated there and obviously he could not. But at the same time he is an old hand so far as the Finance Ministry is concerned. He has been in charge of Finance Ministry and he has experience of the functioning of the Government of India in all its aspects. My only hope is while it is an old hand it will not be an old mind. The Government also have the advantage of having Shri Morarji Desai who had played a notable role in shaping the economic structure of the country first as Minister of Commerce and Industry and later on as Minister of Finance.

The Government do have the definite advantage of the experience of Morarji Desai also. What I want to place before the House is that there is a qualitative change in the economic situation of our country, not only of our country but of the whole world today. As Members are aware, there has been an unprecedented economic crisis in the whole world due to inflation and due to the collapse of the international monetary system and this has not been solved to any considerable extent. We are

when the Railway Minister was reeling off performance after performance and achievements after achievements of the Railway Ministry—and the railway system as such. Some Members felt extremely unhappy. Some Members felt even irritated at the Railway Minister. Why should he recount all these achievements? These are not achievements of a particular Ministry or Minister but they are achievements of the nation about which we should be proud. There is nothing to feel unhappy about. If I put forward the economic achievements of India it is not for the purpose of claiming kudos for myself. It should be a matter of satisfaction that this nation is capable of achieving things in the midst of an unprecedented economic crisis. This is what we have got to realize. (Interruptions)

SHRI VASANT SATHE (Akola)
He is talking of something higher

SHRI C SUBRAMANIAM It is in this context that we have to consider whatever achievements have been there during the last few years. And therefore I would like to submit for the consideration of the House that this should have been done by the Finance Minister himself even though he might not have been in a position to give the new approaches and the new solutions which he wants to put forward. He should have at least given an account of the state of the economy in the country so that the new Members particularly may be aware of what is the state of the economy today. He probably took a lesson from the treatment which the Railway Minister received at the hands of his party and adopted a judicious attitude of not saying anything about the achievements of the country during the last 2 or 3 years. This is probably what made him completely silent. (Interruptions)

As the House is aware India has a most successful record in curbing the violent inflationary pressure which

gripped most of the countries of the world in 1974. The most notable feature of recent economic management in India is the successful anti-inflationary measures went hand in hand with substantial increase in output. The national income increased by 38 per cent in 1975-76. The estimates of national income for 1976-77 are still not available. However it is worth noting that the index of industrial production which went up by 35 per cent in 1975-76 is expected to show a further increase of 10 per cent in 1976-77.

Thanks to the vigorous export promotion and import substitution measures the country's balance of payments position has greatly improved. The country's foreign exchange reserves have reached an all time record. The current level of food stocks with the public sector agencies amounting to 187 million tonnes also represents another all time record.

The highly favourable developments on the food and foreign exchange fronts I want the hon. Finance Minister to take note of this provides the Government with wider options than at any other time in the history of independent India. It is up to the Government to choose the options. (Interruptions) Unfortunately it is job of the new government to look after the employment and unemployment problem not mine.

MR SPEAKER I would request the hon. Members not to make too many interruptions. Otherwise you will lose time and to that extent lose two more speakers. If hon. Members speak without being interrupted then it will be possible for a large number of members to speak from both sides. Once in a way an interruption is all right but not like this. It does not help anybody. I am making this appeal to both sides not to one side alone. He was the Finance Minister the other day he is now speaking to the present day Finance Minister. When he is talking if you interrupt him in this manner it

[Mr Speaker]

will not be helpful to you. You are losing time. As the Speaker I am worried about losing time. Otherwise I can give chance to two more speakers. So I would appeal to the hon. Members to allow him to speak. Once in a way an interruption can be made but not continuous interruption which is not going to help anybody.

श्री मनोहर लाल (कानपुर) हिन्दुस्तान की 62 करोड़ जनता ने श्रीमती इन्दिरा गांधी की बात नहीं सुनी है तो हम उनकी बात क्या सुनेंगे।

MR SPEAKER That is all over now

SHRI C SUBRAMANIAM I was on this point that in view of these developments that have taken place we have options now not just one option but very many options are available and it is up to the Government to choose the options, try to find out the various alternatives available and choose the best alternative according to their judgment which would meet the needs of the country and will be in accordance with the priorities which they have indicated in the President's Address. That is what I am saying. I do not know why people should feel uncomfortable when I say that we have got the economic strength to deal with the national situation.

I will not go into the performance in the agricultural sector.

An hon. Member: Why?

SHRI C SUBRAMANIAM Because it is very well known and it is a process which I had the honour to start the green revolution, and therefore it might be thought that I am boasting or feeling a little proud about it.

Now that Bahuji is on that side I am sure they would be happy to concede that agriculture has done very well and that it has a bright future.

If he had not been on their side agriculture also would have been shouted down. This is the unfortunate state of affairs.

In agriculture also we have built up the capability to produce more and there is also greater potential for development so that we may not be the victims of the vagaries of nature. There is no difference of opinion with regard to the priorities either of the Government or of the Opposition. We have given the highest priority to agriculture and I am sure the same priority if not a higher priority will be given by the present Government also to agriculture.

But what does agriculture mean? First of all agriculture would require irrigation for the purpose of greater production. In the Budget which I had the honour to prepare for the consideration of this House if we were returned to power we had provided the maximum amount necessary for the purpose of major, medium and minor irrigation. I had given clear instructions to the Planning Commission that as far as agriculture was concerned whether it was major, medium or minor irrigation project, finance should not stand in the way but only the capacity to implement. In the various State Governments at various levels. If there can be further improvement with regard to the allocation for irrigation I would be the first person to welcome it but before I increase the allocation I am sure the hon. Finance Minister would see how far further moneys could be allocated without resulting in infrastructural expenditure. Subject to that I would subscribe to any amount being provided for irrigation.

The next important input with regard to agriculture—I am glad the Agriculture Minister is here—is quality seeds. Coming from Punjab as he does I am sure he understands the significance of quality seeds. If there was some stagnation in agricultural production before 1974 for a few years that was mainly due to the fact that

the quality of seeds began to deteriorate because there was no agency responsible for the production and distribution of quality seeds. When I was in temporary charge of agriculture for three months soon after Fakhruddin Saheb assumed the Presidency of this country I looked into this and made some structural changes, with regard to the National Seeds Corporation I brought together the National Seeds Corporation and the State Farms Corporations and formulated a scheme costing Rs 120 crores of which Rs 60 crores was to be provided by the World Bank. I am glad to find that this has delivered the goods and today we are in a position to say that we have quality seeds in sufficient quantities to be distributed not only with reference to cereals but, it is covering to other areas also like cotton, oilseeds and pulses. I am glad to inform the House and I am sure the Agriculture Minister is aware of it that we have already started export of quality seeds but I am told that recently that organisation has got into certain difficulties. I would request the Agriculture Minister to look into it quickly and see that there are no obstacles placed in the way of the functioning of the Seeds Corporation because that is the surest way to allow the quality of the seeds to deteriorate which would affect production ultimately. I need not go into details but from the record he will be able to find out the difficulties that have emerged there—purely personal, I am told.

Apart from irrigation and seeds, the other input is fertilisers. Fortunately production of fertilisers has considerably improved in our country as also its consumption. In 1976-77 the consumption of fertilisers is estimated to have gone up by 27 per cent. Increased consumption has been made possible by a series of price reductions effected in the last two years. In order to enable farmers to purchase modern inputs, commercial bank lending to agriculture has gone up by 36 per cent in 1976-77.

In addition, 45 rural banks with 477 branches have been set up to promote savings and investments in rural areas. Today there is a lacuna that is, a gap with regard to the credit availability particularly in the rural areas. No doubt this moratorium and writing off of debt of the poor farmers and the poor agricultural labour have been beneficent measures but unfortunately alternative systems have not come into existence to provide small credit which is required by the small farmers. This could be provided by the rural banks. That is why we started this idea of the rural bank. As I said we have already set up 45 rural banks and the idea was to have 50 banks. I think they will now be increased. I am sure the Finance Minister will go into it. It was contemplated that every rural bank would have hundred branches. That is how the whole country would be covered by the rural banking system. We have to increase them if sufficient credit will have to be made available to the farmers. I am sure the hon. Finance Minister will go into this aspect.

As far as industrial production is concerned I have already stated that this year it is likely to reach an increase of 10 per cent. Then I am glad to find that the public sector undertakings have done much better than the private sector undertakings and thanks to the stewardship of my respected colleague Shri T. A. Pai, a former Minister of Industry and particularly in charge of heavy industries. He has given a new orientation with regard to the management of these public sector projects. In the past there was always some criticism with regard to the functioning of the public sector projects and as a philosophy to which my hon. friend (Swatantra Member) subscribed to that public sector projects can never thrive in this country and for that matter in any other country except in a communist system but fortunately it has been demonstrated that public sector projects could achieve results and better results than the private sector projects. That is what we

[Shri C Subramaniam]

have got to take note of. As a matter of fact, private sector units are being taken over by the public sector management for the purpose of extracting them well and giving them better help. I hope the hon. Finance Minister will not carry his old Swatantra prejudices when he mentions about the role of the public sector which has got to play a significant part particularly in the economy of our country. It is not so easy to forget the past.

(Interruptions)

The other area in which we have achieved significant progress is in the area of export. Thanks to the energetic export promotion measures, our exports displayed a healthy rising trend. In this connection I am glad to find that my erstwhile colleague Shri Mohan Dharma in the Planning Ministry, has been put in charge of this very important Ministry. He is a very dynamic person. I am sure he will make a success of the responsible charge he has been entrusted with. I hope and trust that this trend in export will be kept up in 1975, it increased by 18 per cent. In the first nine months of 1976-77, it amounted to Rs. 3546 crores showing an increase of 31 per cent over the corresponding period of 1975-76.

श्री श्री बलबीर सिंह (होनिदापुर)

मैं एक व्यवस्था का प्रश्न है। एक मानव मजदूर बाल रहा है और उस व्यवस्था में उसके दमियन से कोई धारमी गुजर सकता है।

MR. SPEAKER I know that. He is a new Member. Therefore, I kept quiet. He ought not to cross the floor between the Chair and the member speaking.

SHRI C SUBRAMANIAM. I was saying in the first nine months of 1976-77 exports amounted to Rs. 3546 crores, showing an increase of 31 per cent over the corresponding period of 1975-76. At the current rate there is little doubt that they will exceed or perhaps, they have already exceeded

the target of Rs. 4500 crores for the year. Unfortunately, I do not have the current figures with me now. What is equally important is that on a volume basis also exports will exceed the target of 8 per cent laid down in the Fifth Plan. I hope he will not revise it for the sake of revising it.

The commodity pattern and the geographical destination of India's exports is now fairly diversified so as to permit a steady growth in export earnings. Award of turn key jobs to Indian firms in countries such as Kuwait, Libya and Saudi Arabia in face of stiff international competition shows that Indian industry has acquired resilience and strength. The fact that engineering goods now top the list of export products is a measure of the vast structural transformation of India's economy. At the same time because of the import substitution and because of the various products being produced within the country, the imports in 1975-76 were 14 per cent higher than in the previous year at Rs. 5158 crores and food, fuel and fertilisers accounted for 60 per cent of the total. In 1976-77, data for the first nine months show that imports have declined by over 8 per cent at Rs. 3916 crores. This is due mainly to a decline in the imports of foodgrains and fertiliser.

Another miracle which has happened and about which we should be proud is with regard to exploration and exploitation of oil. This has transformed the economy of the country. Therefore this is another area about which we have got to be vigilant. But I was sorry to find that till now I do not find any Minister in charge of Oil. (Interruptions)

एक माननीय सदस्य 'अध्यक्ष महोदय' व्यवस्था का प्रश्न है। मालूम हो रहा है कि माननीय सदस्य ने चुनाव से पहले जो बजट स्पीच सदन में देने के लिए तैयार की थी उसी में से बोल रहे हैं और हमारा समय बर्बाद कर रहे हैं।
(अवधान)

MR SPEAKER You had your say
Now, allow him to speak

SHRI C SUBRAMANIAM I do not know why this has happened I am sure the hon Prime Minister will take note of it Till now I do not find any Minister in-charge of Oil except the Prime Minister himself being in-charge of everything that has been left out This is an important area which requires immediate attention because I know some of the problems which have arisen there I hope, some Minister with capacity to deal with these problems will be put in-charge of it immediately so that there is not a gap with regard to the performance in the field of oil which is one of the most encouraging developments that has taken place in the Indian economy today

The strength of our balance of payments is also due to increased inward remittances Gross inward remittances increased from a level of Rs 645 crores in 1974-75 to Rs 1185 crores in 1975-76 and Rs 1303 crores in the first ten months of 1976-77 This seems to be the combined result of the response to schemes for attracting funds from Indians abroad and checking leakages in the inflow of foreign exchange through a crack down on anti-social activities and smuggling The figures of remittances above give a fairly good measure of the harm the anti-social elements were causing to the economy and the benefit that has accrued to the community from the firm handling of such elements Now that we have lifted the Emergency, all these gentlemen are at large now

जीपरी बसवोर सिंह धामने धामने
बकाश के लिए गुद धामन हो है ।

SHRI C SUBRAMANIAM Now Government should give serious consideration as to how they are going

to deal with these smuggling element, because once they are given an opportunity to build themselves up it would require another great effort to put them out of action Therefore, immediate attention will have to be paid with regard to the action to be taken to see that the smuggling activities do not get revived in any way whatsoever

The successful performance in different sectors has created certain problems Unfortunately success itself brings new problems This is the law of progress What is progress after all? I am sorry to philosophise a little but you will pardon me for that What is progress after all? You find solutions to old problems and those very solutions create many new problems A society which is tackling those new problems is progressive and a society which goes on tackling and struggling with, the old problems is a stagnant backward society Therefore what we consider to be a success in one area creates new problems in another area I was saying what we have built up by way of foreign exchange and what we have built up by way of foodstocks But these have created a situation now where the money supply has increased beyond the tolerance limit Therefore, unless we take sufficient measures this is likely to lead to upsurge of inflation I thought I should make a mention about it because this requires immediate attention while the hon Minister may take his own time for the purpose of formulating his priorities and finalising the budget

As far as controlling prices is concerned particularly the prices of the essential commodities it can brook no delay for in 1976-77 the increase has been 158 per cent in the first eleven months And what is the state of our country today as compared to September, 1974 when the price level reached its peak? At that time because of the various measures that we had taken, it fell down by 15 per cent. And this 15 per cent has been made

[Shri C Subramaniam]

up now. Our situation now is that the price level is as it was in 1974. I want to point out that no other country in the world can boast itself of this situation where they have, in 1977, the same price level which existed in 1974. This is the state of affairs. But this should not lead us to complacency. The only relieving feature in this is that this 15.8 per cent is not an all-round increase. As a matter of fact, it is two or three commodities which have contributed to the major portion of this rise, and those are edible oil and cotton. Fortunately, we are in a position to import as much as we want of this edible oil and cotton, as a matter of fact, the previous Government have already taken sufficient measures to import adequate edible oil and I find from the newspapers that it is already having an effect on the edible oil price situation. In the same way, we have taken steps for the purpose of importing enough fibre bough man-made fibre and natural fibre. These are the two areas where we have to be cautious.

Until now, particularly during the last two years we were concerned with demand management. Now we have to take up the supply position also. Fortunately, today we have the economic strength the resources to improve the supply position also. There should be a two-pronged attack on both demand management as well as improvement of the supply position of the various essential commodities. Particularly in this area, I would like to pass on my thoughts to the Finance Minister for what he thinks they are worth and whatever, he thinks is worthwhile he should take them into consideration.

What is now important is to see that the prices of essential commodities do not run away. Those essential commodities will have to be necessarily foodgrains, edible oils, sugar, cloth, through cotton and domestic fuel. These are the main commodities which will have to be taken care of. Fortunately, we have the economic

strength to-day. We have the resources to deal with these commodities. Therefore if these are taken care of, automatically, I have no doubt in my mind that the price situation can be controlled to a great extent and thus should be one of the highest priorities which the Government should adopt for this purpose.

In this respect, we have also to take care to see that the money supply does not increase to an intolerable limit. There are tolerance limits and already, particularly during the last two months, I find that there has been a little bit of relaxation with regard to financial discipline. I am sure the Finance Minister will look into it and whatever steps are necessary for the purpose of controlling the money supply, they should be undertaken as an urgent measure.

The third area of concern relates to the question of unemployment about which the hon. Members are very much agitated. Such statistics as there are of employment in the organized sector increased by 4.59 lakhs or 2.3 per cent in 1975-76. Vacancies notified and placements effected during January-October 1976 were higher by 26.4 per cent and 24.1 per cent respectively compared to the figures of the corresponding period of the previous year. Admittedly these statistics do not give an adequate picture of employment in the organized sector, let alone the unorganized and agricultural sector. Here, I would like to place for the consideration of the Government. How are we going to tackle this problem of unemployment which leads to poverty? After all, eradication of poverty depends upon first of all providing employment to the people, so that they may have enough purchasing power and production of all commodities of mass consumption. Therefore how do we achieve it?

In all humility I want to submit having gone through the experience of various Ministries, particularly

when I was dealing with the Department of Science and Technology, we have evolved a new pattern of integrated development for the rural areas. It is nothing but the application of science and technology for the purpose of uplifting the rural areas. I need not go into the details of it. As a matter of fact I submitted a detailed document when I submitted the Budget last year and this has been considered not only in various seminars and forums inside India but it has been discussed in the international forums also and it is accepted that perhaps there is no other alternative except the integrated rural development for the purpose of solving the rural problem, the rural unemployment and eradication of poverty. I am glad to find that a mention has been made in the President's Address with regard to integrated development. But some of us are under the impression that when we have to deal with the rural problems we do not require high science and high technology. I differ from it. As a matter of fact it is for the purpose of solving the rural problems and for tackling poverty that we require the most sophisticated technology. Take for instance one basic thing which has got to be done for the purpose of introducing and implementing the integrated rural development. That is the need of an inventory of all the natural resources available in any particular area. If we start surveying in the traditional way, it will take a generation perhaps to find out what we have by way of natural resources. To-day we have the advantage of the satellite, the earth satellite circling around the earth. Then we have the advantage of aerial surveys. And, based on that, it is possible to identify areas of natural wealth.

For the purpose of rural development you have to use the latest technology available, so as to find out the natural resources available.

I can go on giving number of instances where highest science and

technology would be necessary. But for the purpose of exploiting natural resources what is important is if you go in for sophisticated technology, it would be at the cost of the local manpower. Therefore, that is where appropriate technology comes in for the purpose of exploiting and giving employment to the large manpower available in the rural areas.

One area in which we can be proud of our achievement is with regard to our scientific competence and technological capability. I am sure the hon members would be glad to hear that we have the third largest scientific and technological manpower in the world. With regard to quality they stand in comparison to quality of manpower in any part of the world and they are manning most sophisticated areas in the various parts of the world.

To-day we are in a position to tackle poverty. We have the technical manpower. We have built up scientific competence and technological capability in the country and this science and technology will have to be made available not merely for the purpose of sophisticated technology for various purposes for urban improvement. It has to be applied to the rural areas also. This is the new turn which we have given and fortunately this rural integration has been blessed by Vinobhaiji. He requested the Prime Minister that in addition to the 10 districts taken up for the purpose of pilot project during the current year, Wardha District may also be included. We added Wardha District as the 20th district.

With all humility I want to submit this—if we want to eradicate poverty, it is not by more and more industries. Those are necessary for backing up the rural efforts. But it is only by upgrading rural capability, by providing more employment opportunities for the exploitation of the local resources, natural resources. That is the only way to solve the problem of poverty and also giving a new life

[Shri C Subramaniam]

to the rural masses. As far as that is concerned I would like to place before the Government that fortunately we have the technical manpower willing to go the villages for the purpose of providing new leadership and appropriate technology to the rural masses. We had planned on that basis. I hope there would not be any hesitation with regard to adoption of this integrated rural development.

I am not saying that the last word has been said on it. As a matter of fact it is only the beginning of the process. I am sure there could be further refinements, further modifications with regard to the approaches with regard to the integrated rural development. But the direction is quite clear. The philosophy is quite clear and as particularly all of you are professing now, many of them who had no faith in Gandhiji have become advocates of Gandhian philosophy to day I would like to point out this programme is quite in accordance with Gandhiji's thought. He was not against science. But he was against science becoming a master over men. He wanted science to be our slave and servant. We should use science and technology for the upliftment and for the promotion of the rural masses. Therefore to-day we are in that position. The solid gains registered by the economy in the last three years provide us a unique opportunity to launch a more effective attack on poverty, unemployment, ignorance and disease in years to come. This is the unanimous view of all impartial observers of Indian economic scene. What has been achieved under most unfavourable national and international circumstances is a matter of pride for all patriotic Indians. Nothing is gained by partisan propaganda designed to weaken the nation's self confidence. However there is no cause for complacency. In essence what has been achieved is just the beginning of a

new forward state which could herald rapid strides being made in Indian agriculture and industry. We could be on the threshold of a new era of adventure and excitement in India's quest for modernisation. This is a mighty national endeavour in which all of us will have to participate. We on our part as a party are prepared to give our wholehearted support to the Government in these efforts in building a great socialist society.

MR SPEAKER The following are the cut motions which are treated as moved

SHRI RAJAGOPAL NAIDU (Chittoor) I beg to move

That the Demand for Grant on Account under the head Animal Husbandry and Dairy Development be reduced by Rs. 100

[Need to give sufficient funds to Andhra Pradesh for Dairy Development. (1)]

That the Demand for Grant on Account under the head Department of Irrigation be reduced by Rs 100 "

[Need to take Nagarjuna Sagar Project under Central Sector (7)]

That the Demand for Grant on Account under the head Chemicals and Fertilizers Industries be reduced by Rs 100 "

[Need for reducing the fertiliser prices so as to be within the reach of the small farmers (3)]

That the Demand for Grant on Account under the head Department of Revenue and Banking be reduced by Rs 100

[Failure to give loans by the nationalised banks for those who are not having property (4)]

That the Demand for Grant on Account under the head Ministry of

Information and Broadcasting' be reduced by Rs 100'

[Need for starting a TV Station at Tirupati (5)]

That the Demand for Grant on Account under the head Atomic Energy Research Development and Industrial Projects be reduced by Rs 100

[Failure to instal an atomic energy plant in Andhra Pradesh (6)]

SHRI C K CHANDRAPPA (Canonore) I beg to move

That the Demand for Grant on Account under the head Department of Agriculture be reduced to Re 1

[Failure in taking steps to set up Coconut Board (7)]

That the Demand for Grant on Account under the head Department of Agriculture be reduced to Re 1

[Failure in taking over the wholesale trade in foodgrains when there is adequate buffer stock (8)]

PROF SHIBBAN LAL SAXENA (Maharajganj) I beg to move

That the Demand for Grant on Account under the head Department of Agriculture be reduced by Rs 100

[Failure to make the Dehradun Forest Research Institute fully autonomous (9)]

That the Demand for Grant on Account under the head Department of Agriculture be reduced by Rs 100 "

[Failure to stop the import of all foodgrains and other agricultural products by making the country self-sufficient in them by raising agriculture prices to the extent of import prices.(10)]

"That the Demand for Grant on Account under the head Department of Agriculture be reduced by Rs. 100

[Failure to take the Gandak Canal by Syphon under the Rohin river to Pharinda Tehsil and spread a network of irrigation canals all over Pharinda Tehsil as has been done in Maharajganj Tehsil of Gorakhpur District (11)]

SHIRIMATI PARVATHI KRISHNAN (Coimbatore) I beg to move

That the Demand for Grant on Account under the head Agriculture be reduced by Rs 100

[Need to provide remunerative price to agriculturists for their products (12)]

That the Demand for Grant on Account under the head 'Agriculture be reduced by Rs 100

[Need to undertake drought relief measures in all drought stricken areas in Tamil Nadu Karnataka, Bihar Orissa Kerala Maharashtra and other areas on a war footing basis with special attention to drinking water facilities (13)]

That the Demand for Grant on Account under the head Fisheries be reduced to Re 1

[Failure in stopping the entry of subsidiaries of multi-national corporations and monopoly houses from entering the fishing industry.. (14)]

"That the Demand for Grant on Account under the head Fisheries be reduced to Re 1 "

[Failure to reorganise the fishing industry on cooperative basis with a view to saving the poor fishermen from exploitation by middlemen (15)]

[Shrimati Parvathi Krishnan]

That the Demand for Grant on Account under the head Fisheries be reduced by Rs. 100

[Need for thorough reorganisation of fisheries with a view to finding more employment (16)]

That the Demand for Grant on Account under the head Animal Husbandry and Dairy Development be reduced by Rs. 100

[Need for setting up a cattle farm for finding employment for the tribals who are being resettled in North Wymad in Kerala (17)]

That the Demand for Grant on Account under the head Department of Food be reduced by Rs. 100

[Need for reducing the overhead charges for the grains handled by the Food Corporation of India (18)]

That the Demand for Grant on Account under the head Department of Irrigation be reduced by Rs. 100 "

[Need to step up the work on minor irrigation projects in drought prone areas. (19)]

That the Demand for Grant on Account under the head Department of Irrigation be reduced to Re. 1

[Delay in settling the Kaveri waters dispute (20)]

That the Demand for Grant on Account under the head Department of Irrigation be reduced to Rs. 100 "

[Need to undertake the Punnam puzha Pandiyar Irrigation Scheme immediately thereby ensuring relief to the perennial drought areas of Coimbatore and Avinashi taluks in Tamil Nadu. (21)]

That the Demand for Grant on Account under the head Department of Irrigation be reduced to Rs. 100

[Need to examine the feasibility of the Ganga Cauvery Canal. (22)]

That the Demand for Grant on Account under the head Ministry of Chemicals and Fertilizers be reduced to Re. 1 "

[Failure in implementing the recommendations of the Nathi Committee on drug industry (23)]

That the Demand for Grant on Account under the head Ministry of Civil Supplies and Cooperation be reduced to Re. 1

[Need to set up a network of public distribution system throughout the country (24)]

That the Demand for Grant on Account under the head Ministry of Commerce be reduced to Re. 1 "

[Failure to give assent to the proposed Ordinance of the Kerala Government for the nationalisation of foreign-owned tea plantations (25)]

SHRI RASHID AHMAD (Fatehpur)
I beg to move

That the Demand for Grant on Account under the head Ministry of Home Affairs be reduced by Rs. 100

[Need to give rehabilitation grants to the MISA detainees and to the heirs of the deceased victims (26)]

SHRIMATI PARVATHI KRISHNAN I beg to move

That the Demand for Grant on Account under the head Ministry of Labour be reduced to Re. 1 "

[Need to restore the right of bonus to all workers (27)]

That the Demand for Grant on Account under the head Ministry of Labour be reduced to Re. 1

[Failure to take action to check closures lay-off retrenchment and other attacks by employers such as increased workloads on the workers (28)]

That the Demand for Grant on Account under the head 'Ministry of Works and Housing' be reduced to Re 1

[The demolition of dwelling places of the poor in the big cities in the names of beautification (29)]

"That the Demand for Grant on Account under the head 'Ministry of Works and Housing' be reduced to Re 1"

[Failure in instituting an enquiry into the Turkman Gate incidents and firing which resulted from indiscriminate demolition. (30)]

PROF R. K. AMIN (Surendranagar) Sir, I would like to congratulate the Finance Minister for giving us a very short, brief and well-balanced speech but I don't know what words I should use for the very long speech given by the shadow Finance Minister Mr Subramaniam. I can only pardon him because, in the hope of becoming the Finance Minister, he must have prepared his speech and where can he utilise it except speaking in this House? Any way I would like to bring to your notice Sir, the Subramaniam trap which has been presented by the shadow Finance Minister. What is it that he referred to by referring to national achievements in his speech? He wanted to show that he rises above parochial considerations. But here is a trap. By saying "national achievements" he has pointed out to us to India's achievements and therefrom that to India's achievements. Especially he referred to one of the achievements during the years 1975-76 as the increase of eight per cent in the national income. But Sir, we should remember that that was because of a very prosperous agricultural year. It was because of the grace of weather-gods not because of any emergency or not because of any Indira's efforts, but it was due to the efforts of the

rain gods. Further he talks about prosperity of India. Let me ask one pertinent question to him. Our Finance Minister also can reply to this matter. In a very prosperous year why had you to import 75 million tonnes of foodgrains from abroad and thereby wasting our slender foreign exchange resources? Despite the fact that there was prosperity in the country and you were selling foodgrains at very cheap prices in the fair-price shops why the issued quote by the Government, has not been taken by the fair price shops? Why in fair price shops, the stocks were getting accumulated and not sold out? That was because real purchasing power was not there with the masses, there was severe unemployment. They were unable to buy them despite the fact that they were available in fair-price shops. This indicates very poor conditions in which the masses were living. And yet Mr Subramaniam talks about the achievements of the Indira Government.

There are two or three specific things which I would like to bring to the notice of the hon Finance Minister. He is very much concerned about the price-rise. The price rise during the last year was of the order of 125 per cent in respect of the whole-sale price index. But the real issue is this. We are very much concerned with the purchasing power of the common masses.

The wholesale price index does not reflect the purchasing power of the commonman. Therefore, what he should evolve is the new index number giving guidance to the common people like us. That is he should give the index number of the most essential commodities which the poor-man or commonman requires. What happens to the rise or fall in price of these commodities in terms of this index is most important. If that is given one can find out what has happened to the purchasing power of the commonman. I hope that when he comes next time with his budget, he

[Prof R K. Amin]

will come with that sort of the price index in which the common man is interested

The deficit financing estimated last year was of the order of Rs 2328 crores but actually it had come to be of Rs 425 crores now. I hope he will throw some light on this. How is it that despite the fact that our revenue has increased there is deficit financing to this extent? Time and again the Finance Minister on the floor of the House had assured the people that there would not be any increase in the deficit financing and still there is an increase in the deficit financing.

I would now refer to another thing. The hon Finance Minister said that next year there might be a deficit financing to the extent of Rs 1432 crores and when we draw upon from our foreign exchange reserves a sum of Rs 800 crores still there will remain a deficit upto the extent of Rs 632 crores next year. I would now request the Finance Minister to tell us one thing. Of course in these three days he might have been helpless for making changes in the estimates which the earlier Govt has prepared but at least he could have changed the proposals of incurring expenditure and making an investment next year, i.e. some of his proposals of expenditure could have been curtailed and by so curtailing he could have reduced the deficit from Rs 1423 crores to a very very low figure. Having said this I would like to suggest to him it is wrong to think that Rs 800 crores proposed to be drawn upon from the foreign exchange reserves will not lead to inflation. I would draw the attention of the House to the fact that the supply of money has already increased considerably in this country during the last two years. Money is at present sitting and not on wing. The velocity of circulation is low at present. But this condition which is prevailing in the country shows that probably the velocity of circulation

will increase. So, the money will be on the wing instead of sitting. Although you may draw upon from the foreign exchange reserves, the inflationary pressure which is existing at present may affect the price rise. Therefore he should find out what is the inflationary potential at present and then decide about the extent of deficit financing.

Some of the part of the last year's expenditure was of a political nature. I want to know especially after 18th of January when Parliament was dissolved, when there was a caretaker Government, how many promises have been made which had involved an additional expenditure for this Govt because the previous Govt. wanted to satisfy the electorate. That must be clearly shown to us by our Finance Minister.

SHRI SOMNATH CHATTERJEE (Jadavpur) Mr Speaker, Sir, Mr Subramaniam spoke about the democratic spirit of the people which was expressed in the last election and he also congratulated the people of this country who in no uncertain manner have expressed their faith and belief in democracy. In spite of the repression that was let loose by the previous Government for the last nineteen or twenty months by denying the people their fundamental and human rights they have by means of a silent revolution brought about these political changes in this country and have rejected this discredited party which has brought the country to this position.

Mr Subramaniam was speaking about the genuine achievements. Having been rejected by the audience outside the House we have been subjected here to a catalogue of the so-called achievements prepared by the DAVP, it seems a la V. C. Shukla's style.

Sir, he was speaking of South India. Having been rejected by the vast majority of the people in this

country he is now trying to create division amongst the Indians by referring especially to South India as if people in North India do not represent a large segment of the Indian masses. I am sure our friends, brothers and sisters in South India have realised the mistake they have committed and they will soon rectify it in the elections that are bound to come soon.

Sir he was speaking of Mr George Fernandes and Shri Madhu Limaye taking so-called shelter in Bihar. But it is better that leaders like them should be adopted by any and every part of the country. But what about their own leader who has been rejected by her own people in spite of the loaded development projects which had been carried out in Rae Bareilly as if Rae Bareilly is whole of India. And what about their Yuvaraj and our hon. friends there paying obeisance with their conscience mortgaged. These so-called leaders of the people had surrendered their conscience even to that youngman who had no accountability to the people of this country and today they are shouting about democratic institutions! Their political credibility depended on the blessings of that youngster who had no credentials. Therefore the lesser they talk about democracy the better it will be.

Sir whatever progress this country has made, has been made in spite of that party and in spite of these people. It is the achievement of the people and not of the Congress party. That is why we are supporting this government because we are respecting the verdict of the people. In spite of the reign of terror that has been carried on in this country people have expressed themselves in favour of democracy and we are all for this.

So far as the budget speech of our present Finance Minister is concerned I do not envy him because he has to hold a de-formed baby of a diseased progenitor. The new government has

taken charge with the unequivocal support of the people not only against autocratic rule but also against the economic policies which have been followed in this country for the last thirty years which have made the poor poorer and the rich richer and have also widened the disparities between the people of this country and allowed stranglehold of monopolists and foreign capitalists over the vast masses. This is the achievement of the last thirty years. During this emergency we were given the mantra of 20-point programme as if by chanting this mantra we can get rid of poverty. The more they chanted this mantra the greater was the poverty in this country.

Sir we witnessed an unusual spectacle during the emergency. When the prices were actually rising with a manipulation of some sort of agency in Simla we saw the price level going down statistically, and taking advantage of that they reduced the amount of DA and brought compulsory deposit schemes. And so far as the big monopolists and capitalists are concerned they were allowed to retain the money in their hands by way of reduced payment of DA and they were making more and more profit at the expense of the common people.

Sir the people of this country are prepared to give sufficient time to this Government because we have to undo the misdeeds of 30 years so that the Government can evolve proper policies which will eradicate poverty and achieve economic growth consistent with our social objectives and which will generate employment opportunities and reduce disparities. And we are committed to support this Government so long as it keeps its pledges to the people of this country.

Sir 30 years of Congress misrule has resulted in 70 per cent of the people of this country living below the poverty line. They don't feel ashamed. They talk of potentials and

Leading office bearers of government service associations and unions were dismissed for no fault except that they were leading cadres of different service organisations. Large numbers of employees were dismissed under art 311(2) (c) without inquiry. When this was challenged in the courts and the courts directed them to show the reasons why they had been dismissed they did not wish to disclose the reasons they claimed privilege. It was because they had no reasons to disclose. Only those people hide reasons who have no reasons to disclose. This is the position. I have already written to the Finance Minister in this connection. In the income-tax department in the audit and accounts department and in the commercial intelligence department people have been singled out for dismissal by taking recourse to draconian measures like the extraordinary provision in art 311(2)(c) of the Constitution.

What has happened to the ordinary normal functioning of all trade unions and service associations? Take the Reserve Bank of India. Taking advantage of the emergency all their activities have been stopped. Even deputations to the Manager are not allowed. There was a circular issued which says

No employee of the bank shall participate in or lead any mass demonstration including mass deputation to the Manager or the head of the department or any other officer of the Bank whether during or outside office hours within any premises for the time being occupied by the Bank."

I cannot ventilate my grievances even to the head of my department. This is the sort of difficulties created for the employees taking advantage of the so-called emergency for the control of an internal situation all bogus. It was all utilised for the purpose of taking away the minimum

rights of the citizens of the country and of the government employees.

The circular I referred to is dated 23 March 1976. This concerns the Reserve Bank. There are similar circulars concerning other departments. I am sure the hon Finance Minister will follow the same principle as enunciated by the hon Railway Minister with regard to the dismissed and suspended employees. I am sure he will do justice to these employees very soon.

16 03 hrs

[SHRI TRIBIB CHAUDHURI in the Chair]

As for the other aspects of bulldozing measures adopted by taking advantage of the emergency getting only 47 per cent of the vote for parliament but having 75 per cent of the seats they misused their majority to pass certain laws. You will recall the measure concerning separation of audit from accounts. The real object of the measure was to prevent proper scrutiny of wasteful expenditure prevent discovery of the same. That was why audit was separated from accounts.

I am sure during the next session the Finance Minister will come up with the main budget proposals. I am sure at that time he will bring forward proposals for doing good to the people for reducing the rigours of unemployment and the disparity between rich and poor. These are proposals to which the people of the country are certainly looking forward. Meanwhile there are certain things which require immediate attention like the restoration of bonus, DA and scrapping of CDS as also the withdrawal of dismissal and suspension orders on Central Government employees. There has been large scale victimisation of State Government employees also but we are not concerned with this at the moment. But so far as the Central Government

[Shri Somnath Chatterjee]

employees are concerned, I have already written to him. I am sure he will look into the matter and take necessary steps to withdraw the circulars which are inhibitive of the normal lawful constitutional functioning of the employees organisations and associations. If this is done a healthy atmosphere will be created and there will develop a spirit of co-operation between the departments concerned and the employees. I am sure nobody can blame the workers and employees organisations for having stood in the way of progress. Those were the ideas of a discredited discarded party. I am sure we shall not be following that.

I do not wish to take more time. I will mention only about one thing. Shri C. Subramaniam referred to smuggling. Certainly, we are totally against smuggling. But now that the requirement for contribution to the Congress fund is not there now that that source has dried up the incidence of smuggling will be reduced. They were the beneficiaries of this naturally they had to pay black money to finance them. The ordinary laws of the country I am sure would be able to help you stop smuggling but if they are used in a lackadaisical manner they would help the smugglers. If they are implemented properly, you can stop smuggling. You have to associate people in this matter you have to have faith in the department and activate the department in a manner that they are also inculcated with the spirit of patriotism and love of the country. That will be the best thing for the purpose of stopping smuggling and also stopping the drain of foreign exchange in an illegal manner. Given the will of the people of the country it can be done. With all his experience Mr Patel, with the support of competent colleagues would be able to achieve this by formulating proper policies and implementing them. They should remove the long

standing grievances of the people and raise the standard of living of the people at least to the minimum necessary. With these words I support the budget proposals of Mr Patel and I am sure that the main budget when it comes will help the people.

SHRI A C GEORGE (Muzandapuram) Mr Chairman at the outset may I congratulate the new government the new Prime Minister and the new Finance Minister Mr Patel. I have the unique privilege of conveying the greetings to this new government the Prime Minister and the Finance Minister from Kerala a small state in the extreme south of India. It so happens that they did not send anybody to Parliament who would support the present government or its allies. Out of 20 Lok Sabha seats the enlightened and highly literate people of Kerala just refused to send one member of the Janta Party or its close cousins and relatives from the CPM. It was interesting to hear from Shri Somnath Chatterjee what he says he was congratulating and aligning himself with the new government.

SHRI SOMNATH CHATTERJEE You are making a mistake if you think that you can make us deviate as from our path we know what we stand for.

SHRI A C GEORGE If you kindly wait half a minute I shall explain to you what the mistake is. Even Palghat which used to be represented by that revered leader A K Gopalan was lost to the CPM because of the new relative the Janata Party. There is the most progressive state of Andhra Pradesh. I am sorry that the hon. Speaker is not here. That state sent only one person Mr N. Sanjiva Reddy simply because they were assured that he would be elected as Speaker and he would immediately resign from that Party and so they happened to elect him.

The enlightened people of Andhra Pradesh thought of sparing only one

[Shri A. C. George]

1975-76 to the tune of Rs 1200 crores. But in spite of this we had a favourable foreign exchange situation. Why? In 1974 the remittances from our patriotic Indians abroad was Rs 46 crores on an average. In 1975 because of the rigorous enforcement measures and alert administrative measures because of the various other attractive measures taken by the Finance and Commerce Ministries in 1975 the average went up to Rs 86 crores. In 1976 it stood at Rs 126 crores per month i.e. about Rs 1500 crores per year. It is this phenomenon which in spite of the biggest adverse balance of payment gave us a favourable foreign exchange situation. The Finance Minister must remember that this was because of the rigorous enforcement measures taken. Mr Somnath Chatterjee is not here at the moment. He was giving a very constructive advice to the Finance Minister to stop smuggling saying you must appeal to the patriotic sense of the smugglers. It is on record. The great revolutionary Mr Somnath Chatterjee who was advocating that smugglers must be hanged, hand-cuffed, abandoned and sent out of the country now asks the Finance Minister to appeal to the patriotic sense of the smugglers. This reverse advice is really interesting. I do not know whether this is due to the new relations with Janata Party. The advice is that the Finance Minister must spare some time go to the smugglers of Bombay and on the western coast and the eastern coast sit with them and say "Friends, I appeal to your patriotic sense."

This is an important point. This country has a strong currency now. It is widely known that the power and influence of any country is directly proportional to the strength of its currency. There is no question of mincing words about that. In international relations there is nothing like absolute friendship. If a country is strong and powerful it means its currency is strong and powerful.

Please do not think that just by appointing Shri Atal Behari Vajpayee as External Affairs Minister, we are going to get new friends in the international sphere.

Do not think that by just appealing to the patriotic sense of the smugglers you will be in a position to achieve anything. We will have to adopt very rigorous measures. Of late—I never question the bonafide of Mr H. V. Patel—for the past ten days there is an atmosphere in the country that you can get away with anything. The industrialists, the traders, the wholesalers somehow feel that here is a Government where we may be comparatively safe. I am happy Mr Somnath Chatterjee has come. I was correctly advising them what you have said.

SHRI SOMNATH CHATTERJEE I said that if there is a proper implementation the normal course of law is enough. You terrorised them and you took money for election purposes. (Interruptions)

SHRI A. C. GEORGE In the new circumstances I am sure Mr Somnath Chatterjee will be more interested in the normal course of the law especially in the matter of smugglers.

As I said I will never attribute motives or malafides to them but surely because of your party and some ideas somehow a feeling is going on that any economic criminal can escape. This is a dangerous trend. With all humility with all the best intentions I am giving this suggestion to the Finance Minister that if you will allow this feeling to strengthen you will never be able to check and control economic offenders. Already they have got a feeling in Bombay, in the coast of Gujarat and other places that here is a Government which is at least a different one than the earlier one. (Interruptions) I am telling a few things in their own interest. Here is a Finance Minister who has been given a state of economy which is very healthy compared to any other.

developing country. The inflation has been controlled to a great extent. The wholesale and consumer price index has been brought down. It is their duty to see that this tempo is not slowed down. It is their duty to see that it is preserved and at least the part of progress is not retarded.

DR SUBRAMANIAM SWAMY (Bombay North East) Mr Chairman, it is very interesting to hear Congressmen speaking from the Opposition benches and trying to hide the fact as to why they were not voted back to power. I am even more surprised that a distinguished former Minister like Mr Subramaniam should undertake a digression into an area about which he hardly knows anything.

Mr Subramaniam proposed a new doctrine that those who are from a particular region must fight from that region. He quoted the example of George Fernandes. He quoted the example of people like Madhu Limaye, but he forgot to mention me.

SHRI C SUBRAMANIAM I am sorry I did not mention the modern Netaji.

DR SUBRAMANIAM SWAMY I would like to take this opportunity to say that all of us in this country regard every other part as true or as equally as any other part. I am surprised that Mr Subramaniam would go to the extent of saying "their own people." What does that mean? How far should we push or apply this doctrine? May I ask Mr Subramaniam what about your former distinguished colleague Mr Krishna Menon or Mr Ajit Prasad Jain? What about Mrs Indira Gandhi herself? She is from Kashmir. By his doctrine she should fight from Kashmir. By her own admission she should fight from Gujarat because she said that she was the daughter-in-law of Gujarat. Or, because her husband was a Parsi, maybe Mr Subramaniam's suggestion would be that she should fight from Iran and not from India. And considering the

form of government being practised there, I am sure she would feel very comfortable there. I think this kind of logic cannot be utilized. He must have spoken this when he was in a hot moment. He is known to speak a lot of illogical things when he is angry. He easily gets angry. The Constitution says that a man may be registered as a voter anywhere, but he can fight from anywhere else. This constitutional principle he abides by and respects.

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H M PATE) When did he respect the Constitution?

DR SUBRAMANIAM SWAMY Yes, maybe he has not read the amended Constitution. That part is still there. I would urge Mr Subramaniam that in order to get rid of the petty mind and narrow vision, he should fight from somewhere else during the next election which would teach him that actually India is one and that all of us can go outside our own villages and get some affection. Maybe he can come to Bombay in the next election, and fight against me. And maybe because of the name-confusion, he may get my votes also. I am willing to come just now.

Now I would like also to take very strong exception to Mr Subramaniam's statement that government very gracefully handed over power. What does that mean? Government is expected to hand over power gracefully, of course. We did not expect anything else. This is a surprising statement to make as if the earlier government had any option. I would have dared them to do anything else. Let them try and not hand over power and see what would have happened. They would have tried because even when the election results were coming out, people who were in high offices, instead of immediately resigning—being an government—asked for re-count and for re-poll, and perhaps some of them sought police inspectors, and some of them acted in a disgraceful way; and

[Dr Subramaniam Swamy]

some of them even had brief shots at them. This is the kind of drama that they enacted. (Interruptions) I would say that if this is the kind of logic that would be applied we can say that we were equally graceful in that we have not arrested Mr Subramaniam and put him under MISA. He is a free man and he can say what he likes. As long as the Janata Party government is there I am sure he can speak with full freedom, he need not worry.

We shall certainly prosecute people under the normal laws. One of his colleagues talked about smugglers. We are a little apprehensive that if we caught all the smugglers the Congress party would get decimated because most of their workers would be in jail having the profession that they do.

The other thing that I must take exception to is the talk of economic achievement. I can understand that under the Emergency all of them were afraid that if they did not come out with the sings song about economic progress they would lose their ministries.

But after the whole thing is over when the facts have all come out they should at least have the honesty to come out and put the whole matter in perspective. The Economic Survey which should have been published by now has not been still published. Perhaps the election would have been an embarrassment perhaps they were occupied doing other things in the election when they should be doing official work and that is why perhaps it has got delayed.

I myself prepared a booklet in 1975 where I pointed out the economic progress since emergency. All the facts in this booklet were taken from newspapers, censored Indian newspapers and put them together. What happened? I sent it openly for print.

It was during the emergency and before the elections were announced. What happened? The Government impounded all the 5000 copies of the booklet and still I am yet to get possess on of it. Of course Government was in a very difficult position. They could not catch me. So they caught my book instead.

Kindly take facts step by step. I ask Shri Subramaniam which of these can be questioned? He says the prices have been brought down. Since when were they brought down? The prices were brought down from September 1974 to March 1976 which really consisted of nine months before the emergency and nine months after the emergency and they were brought down for a variety of other factors. Which of the prices were brought down? If you consider the retail level, it is the price of food and the price of edible oil. The price of food came down because there was a very good harvest. Considering that 75 per cent of our crop is rain fed crop the production is based on the fact that rains come on time. The price of crop came down because of the rains. It is said that the rains run on time because of the declaration of emergency. I hope it would not be said the Gods were terrorised and so the rains came on time. I hope they would not claim that.

Even at that time if the prices of edible oil came down, whom the credit should go? Much of the edible oil is coming from groundnut and a large portion of it is produced in Gujarat which at that time was under the Janata Morcha Government. So, the credit should go to the Janata Morcha Government. But we do not claim credit for it. Yet the rains came on time and that is the reason why the commodity prices have come down, why the prices of other commodities have come down.

The Government did reduce the prices for air-conditioners and television sets. But these, of course do

not concern really the poor man at all. You cannot consider them as poor man's requirements. Therefore if you really study the position since March 1976 the prices have been continuously going up and today even by these 'purious' fake wholesale price index which is drawn up by God knows whom under what circumstances and under whose direction the wholesale price index shows within one year an increase of 12 per cent. And if we consider the retail price as published by the Economic Times which is one of the leading papers which does publish the retail prices for Bombay city the retail prices are 35 per cent higher than they were a year ago.

These are facts which Shri Subramaniam cannot contest. When did the prices come down during the emergency? The prices came down and rose during the emergency. When during the period of 19 months of the emergency the prices came down for 9 months and rose for 10 months how can he say that the prices were controlled during the emergency? Obviously he cannot say that at all.

Similarly in all the speeches while they bring out everything the word unemployment does not appear at all. For example take the 20 Point Programme. Even a learned man like Shri Subramaniam goes on talking about the 20-Point Programme. I asked several Congress men what is this 20 Point Programme. They all said it is a revolutionary programme. When I asked them what is the revolutionary part in the 20 Point Programme they said we have not studied it but the programme is revolutionary. But this 20 Point Programme says nothing about unemployment there is not a word about unemployment in it. The 20 Point Programme talks about text-books, all kinds of irrelevant non sense but it does not say a word about unemployment. Why are you worried about the 20 Point Programme? The

Government had decided that they shall never as long as they were put there publish the estimates of unemployment. They never did it. The Planning Commission also refused to do it. Now we shall certainly attempt to publish the estimates of unemployment. But the fact of the matter is even according to the statistics of the employment exchange registers in the 19 months during the emergency unemployment has gone up by 35 per cent. These are all figures put out by the Labour Ministry and this is something which can be tested. In this 35 per cent increase there are 12 lakh industrial workers who have been retrenched.

SHRI JYOTIRMOY BOSU (Diamond Harbour) 15 million

DR SUBRAMANIAM : SWAMY
And if you include all the Ministers who have been unseated you will have an even higher figure.

Then they talk of industrial growth but they do not mention anything about the small industries. It is a significant thing that more small industries have closed down in the last 20 months than in the last 20 years. According to their own figures 16 000 small industrial units had closed down largely because they were not getting any raw materials. They did not have any lobby. Previously they could lobby with the whole Cabinet or with some Ministers or MPs but now they had to lobby with only one person or half a person whichever you like and it is always very difficult to lobby with one person.

Even Mr Subramaniam said that the growth rate was 8 per cent for 1975-76 but that the figure was not available for 1976-77. They are available. The growth rate for 1976-77 is going to be only 2 per cent compared to 8 per cent for the earlier year. In the earlier year rains came on time and everything was all right. Your

(Dr Subramaniam Swamy)

growth rate went up because agricultural production went up but in 1976-77 rains were not on time there were cyclones and floods. Thus Congress Government had never done anything to meet them. Therefore the growth rate has dropped to 2 per cent. They talk of their stewardship of the economy and its strong position but I am sure the Finance Ministry will soon be releasing these figures for the benefit of all.

Similarly they talk of industrial output and say that this year's industrial output is going to be 0 per cent. But you increase industrial output for what in which sector? It has been neglected in the public sector. What is the use of increasing coal production when the rest of the country is in a position to buy that coal? There is a huge stockpile of coal at the pitheads also of steel, fertilisers and every other commodity. Mr Subramaniam will remember that in July 1974 this Congress Government totally bankrupt of ideas did not have any clue how to control inflation. At that time some independent economists got together and came up with the idea of credit squeeze as a short-term strategy. That is what he adopted, but he continued it for a long period. Prices are like temperature and credit squeeze is like aspirin. Mr Subramaniam being a poor doctor kept on giving the aspirin. The patient was about to die but luckily we have been brought in and we shall bring some life back into the economy. If he had been there the patient would have been dead.

Then they talk of the foreign exchange that they have accumulated but they do not mention what the trends are. Certainly in the first few months foreign exchange reserves went up but that was largely due to larger remittances by Indians abroad those in England and Canada due to the fact that in those countries there

was racial violence and tension. In the beginning they were giving monthly figures, but what about the period after September 1976? Is it not a fact, I would ask the Finance Minister also, that remittances from abroad, especially since August 1976 have been steadily coming down because the panic of Indians abroad is going down?

SHRI A. C. GEORGE The remittance in February was Rs 124 crores and on 18th March, 1977 the foreign exchange figure was Rs. 1419 crores.

DR. SUBRAMANIAM SWAMY But are you going to keep it in a museum or transfer it to a Swiss bank? What are you going to do with it? Why have you accumulated all this foreign exchange? In fact it is a criminal act that this foreign exchange was not utilised for proper imports. Instead of that they just kept it in the Reserve Bank and issued rupees to the Indian Public.

SHRI JYOTIRMOY BOSU Are you losing sight of the fact that Mr Subramaniam was the author of 'Devaluation of 1966'?

(Interruptions)

DR SUBRAMANIAM SWAMY You will come to know very soon what we are going to import. They talked about that the value of the rupee had gone up. I want to know against which currency it has gone up? I know what they have done about it. This is all tall talk this is all publicity and total falsehood. This is total falsehood to say that the value of the Indian rupee has gone up. It went up some time back against the pound because India had the mysterious concept of linking its value to a basket of currency in which the dollar happened to play the biggest role. It went up automatically like *gadha* and its *poonch* (donkey and its tail) that is, wherever the *gadha*

goes its poonch also goes. The same way, the value of the rupee went up against the pound. If you consider the value of the rupee *vis-a-vis* dollar, you will find that it has gone down. This is the present position of the rupee *vis-a-vis* dollar. Therefore, this has no merit at all. That is what the Congress Party had been doing. In the first place, none of them had the courage to stand up. Secondly, their leader came up with a programme which had no basis. They came out with the 20-point programme for getting some people released from the jails. That is what all about it. What is the 20 point programme? (Interruptions)

I am one of the few persons who have actually read the 20-point programme. Mr Vasant Sathe went to Paunar and came back with lovely messages and all that. What is the 20-point programme? It says that we must increase production. Some people came and told me, 'Are you against increasing production?' Even my grandmother told me that production should be increased, but she never became the Prime Minister. The duty of the Prime Minister is to specify where we have to increase our production because this country has got certain priorities. There are limitations on our resources. Every body can say that production should be increased. It is the duty of the Prime Minister to specify exactly what are the priorities and which are the areas where production has to be increased.

(Interruptions)

Let us look at the intellectuals of the 20-point programme.

SHRI VASANT SATHE (Akola) You tell us what is important according to you.

He himself does not know what he is talking about.

(Interruptions)

DR SUBRAMANIAM SWAMY
This House must know what a fraud of 20-point programme is. The question is that there are certain statistics in the 20-point programme. I want Mr Subramaniam to answer my question. He says, "In one year in the 20-point programme, we shall increase irrigation potential by 50 lakh hectares."

But the Five Year Plan says that in one year we can increase only by 9 lakh hectares. And the achievement is only 8 lakh hectares. The Prime Minister's 20-point programme says, 50 lakh hectares whereas the Planning Commission says, 9 lakh hectares. The achievement is only 8 lakh hectares. What was going on in the Government? Did you have guts to tell Mrs Indira Gandhi that the 20-point programme figures were different from those of the Planning Commission? No. Because Mrs Indira Gandhi happened to be the Minister of Planning, the Chairman of the Planning Commission and the author of the 20-point programme. How can you say, in one breath, 50 lakh hectares and in another breath 9 lakh hectares? And the achievement is only 8 lakh hectares.

Regarding the power development, it was said that the power generation will increase by 2600 MW, that is, that would be the capacity created or the potential created. But the Energy Minister says, it is only 1700 MW and the achievement is only 1440 MW. That is what was going on. Did you expect that anybody will ever confront you with actual figures and find out what fraud you were perpetrating on the people of India? All this make-believe economic progress in the last 20-months must be fully exposed. I would urge upon the Finance Minister to come out with actual facts and figures and let the people of India know what actually happened in the last 20 months, how much the poor people suffered in the last 20 months.

[Dr Subramaniam Swamy]

and how the Emergency benefited only a handful of people. They did not have guts to speak out and allow anybody to have his say. They did not allow even the speeches made by the Members of Parliament to be reported in the newspapers. With all this purdah the 20 point programme might look very big. But it is not so. This is what a poor man told me in my constituency where 40 per cent of the people live in slums. He said Mrs Indira Gandhi promised to reduce the poverty in 1971. We are going to Delhi to tell her to return the poverty of 1971 to us because the poverty of 1971 is much better than the riches of 1977.

SHRI APARINDA DALA PAI
NOR (Pondicherry) Mr Chairman Sir I rise to participate on the General Budget discussion. I will be failing in my duty if I do not congratulate the Ministry headed by Shri Morarji Desai and also the Finance Minister Shri H M Patel who has to his credit varied experience of civil service and also as a Member of Parliament. But as a Member of the All India Anna DMK, I have to say certain things to both the sides.

I am really proud to see many of the old Ministers—the Foreign Minister, the Finance Minister, the Commerce Minister and other Ministers sitting as a shadow Cabinet on this side. At the same time I welcome the new Ministers on the other side—the persons like Shri Mohan Dharia, Shri Madhu Dandavate and others. This is the first time that the country has got such an opportunity to strengthen parliamentary democracy and let us not waste it.

As I said last time, the people can not be fooled for long by showing progress mainly on paper. They should feel that there is real progress in the daily life. I gave that warning last time and the verdict has now come.

I am not sorry for it. We have to respect the verdict of the people. We have been supporting the Government whenever progressive measures were undertaken and at the same time criticising the Government whenever the mistakes were committed by them. Now the verdict has come and it has to be respected by both the sides. I mean the people on the opposition side also have the verdict of the people to sit and oppose the government as and when required for dissent is the essence of the democracy.

This is the first time that we are having a large number of Opposition Members on this side to balance the parliamentary system of Government. There is another group like us to tilt the balance whenever required in the interest of the people of this country. If the ruling party goes on the wrong track we will not be cowards and we will point it out with all the might at our command and, at the same time, we will not be failing in complimenting them whenever good things are done for the people.

When I came for the first time to this House I could not even utter a word because several Members used to get up at the same time and none could be heard and the poor Speaker had the hectic time. I hope that is over now. And I heartily request the members on both the sides to adhere to a peaceful and dignified parliamentary system in our country.

This is the best Parliament that we have this time. In all these 20 years D Subramaniam Swamy was very eloquent in pointing out the 20 months so called achievements—imbalances etc. But this is not the time for us to criticise the past Government. It is alright we had all gone before the people and the people have given their verdict. This is the time for us to act, and if we do not act people will punish us in the same

way as they had punished the previous Government. It is constructive opposition and work that is expected of us at this time. I was expecting Dr Subramaniam Swamy a great rising economist with whom I used to discuss matters in the Central Hall to give us a positive and clear programme. I was pleased to see Mr H. M. Patel sitting there as the Finance Minister. But I have not seen any positive programme in his speech. I know that the time at their disposal was very short but considering his eminence, his vast experience and his capability I was expecting him to spell out the main lines of the positive programme. Every one of us talks of unemployment but what is the policy and programme to solve the unemployment problem? That has not been given. Let us not talk of the past. Please tell us what you are going to do for the future. I know economics is commonsense more complicated. So let us come to the common man's economics. This country is a giant and if it has to be lifted from its economic slumber it needs a bulldozer injection not small penicillin and terramycin injections. In the past thirty years—I do not blame that Government entirely failed—they also tried their best but they failed in many spheres also. But what is your positive programme and policy? What is the bulldozer injection that you are going to give to this country? You should tell us now. I do agree with you that civil liberties are to be restored but I cannot agree with you when you say that complete economic liberty is to give it at the cost of the poor. You cannot make the people richer by using economic jargons and slogans. You have to give constructive and positive programmes so that people can believe and co-operate with you in your task.

SHRI K. GOPAL (Karur) On a point of order: Can a Minister sleep in the House? The hon. Minister of Health and Family Planning is sleeping in the House.

SHRI ARAVINDA BALA PAJAJOR I can understand this. Let him take some rest. You can see the effect of elections in me also. My throat is affected.

The people of this country are watching how the Janata Government is going to help them. How the All India Anna DMK Party is going to give constructive opposition support and how the Congress Party is going to give constructive criticism. I do agree with Mr C. Subramaniam when he came out with certain facts which cannot be denied. Of course there was misuse of Emergency but we cannot also deny that there were gains of Emergency. There was discipline in the country as far as the economy is concerned. I was able to send my son and daughter to the school peacefully. But at the same time I do not agree that they had done everything in a proper manner and when I raised it in the House at that time many Members said that I would be sent to Alipore Jail if I did that and my reply was that I would prefer to go to Alipore Jail rather than being sentenced by the people of this country. I said that that was the last chance for them to survive and many of them never listened to me and they paid the price for it. Now in the very first step I am afraid the same old mood of brushing aside constructive suggestions is being revived. I do not warn you but I recall to your memory what happened in the past. This is not the way you are supposed to function. While I congratulate the Prime Minister I would remind him of this: let it be a real Janata Government not a hypocritical or unreal Janata Government. I know you blamed the previous Government that they never went to the people to understand their problems. And when we all went to the people for votes it was not all positive votes; many negative votes were also there for people are not very much concerned only about the civil liberties such as the writ of Mandamus, Quo Warranto and Certiorari.

[Shri Arvinda Bala Pajaroni]

The people of this country expect bread the people of this country expect shelter the people of this country expect food and not only food but also clothes. What is the programme you have suggested for that in this Budget? Will it take such a long time for the Finance Minister to spell out the simple philosophy as to how you are going to help the 'Janata' by the Janata rule? I just want to know in clear terms.

I appeal to you to tell the people first that we are going to give you employment by these methods. Not only that I know from my little experience of my own constituency of Pondicherry and also other places in Tamil Nadu what people expect of us. (Interruptions) I can understand our young men's anxiety. People said that the old generation is going to rule. But when I saw Mr Subramaniam Swamy getting up I thought here is a young brain in the Government and there will be a compromise the compromise of mixed economy. I will come to the economy part later on. If you are going to disturb the peace of the House and say that this is a different House I am not prepared for that and at the outset I may say that I cannot be a party to that kind of things being perpetrated in the House. I want sincere work I want sincere and constructive work in the House. We have to rise to the occasion and this is the time for us. If you do not rise to the occasion not only people will condemn us but also other forces will lead to a revolution in the country. That is the warning of the recent elections.

I agree that this government cannot be blamed for the present state of affairs. But also remember that we were not a party to the previous government's misdeeds, we lent them selective support. Similarly we assure you that we will also support you. But may I tell you? People want to know what is your policy so that we can select and support? Are you going

to give bonus to the labour? What is your policy with regard to rural indebtedness? When this matter of bonus was represented to the Finance Minister, I am sorry, I could not say that he was positive but he was neither negative but he was highly evasive. You must tell categorically that bonus will be given to them. When Mr Amin was speaking about the economic philosophy I tried to understand his thinking on our economy. Unless you give money to them they will have no purchasing power. You take away from the left hand what you give by the right and I want to know from the Finance Minister what sort of balanced economy he is going to have in this country then? In this context I tell you about the people in the rural areas. I know many of us got the votes from the common man. We always go and talk about the poor man in India for the sake of slogans. But when you go to the rural people, what is their position? He is indebted upto his neck. I tell you. The previous government protected the poor only from the private money-lenders. But the poor is not protected from the harassment of the Govt credit. Even today I have received telegrams from my people that they are harassed and put to lot of difficulties in recovering the dues from them. The cooperative and bank officials harassed and tortured the poor common man. In Pondicherry I saw for a petty loan of Rs 50 or Rs 60 the poor man is being harassed by the cooperative bank. I expected Mr Swamy to give some suggestion. What has he got to help the man in the rural areas in tiding over this indebtedness? I have one suggestion. We have the post offices throughout our country. Why not make them as a lending institution? Mr Subramaniam said that the Rural Bank has come up to help. May be it is very good for theoretical purposes but we have seen in the past that all this does not help the common man. But why don't you make the post-office as a lending institution? Why don't you suggest such a kind of constructive programme? That is what is expected of Mr Patel. I know Mr

Patel He is very busy there When he used to sit here he used to advise us also Perhaps he thinks from the opposition I cannot give him any suggestion But please remember that all of us are elected as representatives of our people who require considered attention Your statement I admire is well-written and in good English I know pretty well that the Finance Minister has varried experience as Finance Secretary member of this House in the past You are a very clever man My humble request to you is let us not be escapists I say that the previous government were escapists in certain matters and they were punished But I do not blame all of them Many of them were sincere people and they tried their best to help the country When the achievements were there I heard Mr Chatterjee saying 'They are peoples achievements' You do not want to give any credit to them It is not proper

17 00 hrs

[Mr SPEAKER in the Chair]

I agree with them that there was progress in the country and certain economic discipline was there But at the same time the Reserve Bank of India had given a verdict inflation is going on As far as educated unemployment is concerned it is more than 60 lakhs The position in regard to uneducated is still worse Purchasing power is going down What is the measure and what is the policy which the Government is going to adopt?

You are taking Vote on Account for four months We will be wasting four precious months of the year What are the programmes which you are taking after four months? We were used to such kind of things in the past whatever Government may

be The slogan was that within a short span of time it cannot be done In economics in the long run everybody will die and nobody will survive to Judge the results

The other day the Prime Minister was saying that he had plan for 10 years We have five years, seven years or ten years plans We should give a good-bye to all this What is your programme Janata Party has approached the people with the programme Where is it in your budget?

MR SPEAKER Please conclude

SHRI ARAVINDA BALA PAJANER I request the Members to take it seriously I request the hon Finance Minister (Interruptions)

MR SPEAKER He is concluding Could you not conclude in a minute or two?

SHRI ARAVINDA BALA PAJANER I will take another ten minutes

MR SPEAKER Then, to morrow

17 03 hrs

PAPERS LAID ON THE TABLE—
contd

PROCLAMATION ISSUED BY THE GOVERNOR
OF JAMMU AND KASHMIR

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH) I beg to lay on the Table a copy of the Proclamation No P-1/1977 dated the 27th March 1977 issued by the Governor of Jammu and Kashmir, under section 93 of the Constitution of Jammu and Kashmir, published in Jammu and Kashmir Government Gazette dated the 27th March 1977 [Placed in Library See No LT-13/77]

17.03 hrs

MOTION FOR ADJOURNMENT

DISSOLUTION OF JAMMU & KASHMIR

STATE LEGISLATIVE ASSEMBLY

MR SPEAKER We will now take up the Adjournment Motion

DR KARAN SINGH (Udampur) I move

'That the House do now adjourn.'

The nation has just emerged from the world's greatest and largest general election and the maturity of the Indian people and the capacity for smooth transition has evoked world wide admiration

Announcing the elections the former Prime Minister had called that an act of faith I would submit that although our party has lost its majority our faith in the inherent good sense of the Indian people is absolutely justified. Parties and individuals may come and go but if the unity and strength of India is maintained and its secular and democratic foundations strengthened the future of people is assured. It is therefore in this context that I consider it nothing short of tragic that within 48 hours of the installation of the new Government in the Centre in the crucial border State of Jammu and Kashmir all democratic norms were thrown to the wind. A shameful and shocking political affair took place where on the advice of a person with three other Members in the House—a total of four Members in the House of 75—the Assembly was dissolved. I would like to say that this has been not only a question of any one party or the other party this has been the national disgrace. I think it is something which I am sure when the hon. members opposite have heard us out I am sure they will also agree that what has happened in Jammu and Kashmir has not brought any credit to this country.

May I briefly recount the political events in the State over the last four or five years. In 1972 in the general election the congress party got a clearcut majority and the government under Syed Mir Qasim was formed and it was functioning smoothly. At that time Shri Sheikh Abdullah announced his desire to return to the political mainstream and said that he was going to wind up the plebiscite front and treat the accession as final and would like to come back to the political mainstream. So in keeping with the political traditions of the country negotiations were opened with him. Ultimately a political agreement was arrived at. It was indeed a very rare and unique act of political self abnegation on the part of the congress government with a clear cut majority—support to make way for Sheikh Sahib. Not only that Two Congress MLAs resigned their seats so that Sheikh Abdullah and Minze Afzal Beg can be elected to the Assembly I would submit that the situation in Jammu and Kashmir has always been very delicate. It is not a question of one party or another party but the broad national interest and in that the Congress willingly and happily gave its place and Sheikh Sahib was inducted into the Government.

For two years thereafter the Congress extended full support to Sheikh Abdullah Government despite the fact that there were numerous provocations despite the fact that the Congress was often enough abused and ill treated by Sheikh Abdullah and his colleagues. The Congress said this as it is in the national interest even if we suffer some humiliation we should not mind we should support it. But Sir what happened—I am pained to say this—had belied the high hopes that had been generated by the accord. The Congress was not represented at the Cabinet level. We left it entirely to Sheikh Abdullah. But unfortunately the Government displayed indifference to the people's welfare and displayed utter insensitivity to the needs of the common people.

As you know, Jammu and Kashmir is a very far flung mountainous and backward area. What was required to be done was that there should be rapid economic development and that the needs and the aspirations of the people should be met. But unfortunately what happened was that the developmental process slowed down, unemployment increased to our great dismay. The basic feature of the accord was that all the secular democratic and patriotic forces should get together. But what happened was that the National Conference which had come into being when the Plebiscite Front was wound up was not ever able to overcome its deeprooted allergy and antipathy to the Congress. The situation deteriorated and matters came to a head in the recent general elections that were held. It became very clear that the accord was not functioning at the ground-level at all. In fact tensions increased. We would have been hoodwinking the people if we had continued to support Sheikh Abdullah. And therefore after due consideration, the Congress parliamentary party decided to withdraw support to the Sheikh Abdullah Government and on the 25th of March, the Leader of the Party wrote to the Governor that they have withdrawn the support, enclosing a list of Congress members and saying that they would be prepared to form a new stable Government. They did not act irresponsibly. They realised that Jammu and Kashmir is a sensitive State and we should ensure a stable Government in Jammu and Kashmir. We knew very well that we had a very clear-cut majority in the House. This has not been disputed by anybody so far.

Therefore the party wrote to the Governor. Now this is where an extraordinary development starts happening. Sheikh Abdullah, for many years has been proclaiming his democratic professions and he has been claiming to be a great democrat. Was it not his duty, at that time when he enjoyed power, as a

result of two years Congress Members support—was it not a simple, straightforward and clearcut political responsibility—to have immediately resigned and ask the Governor to call upon the Congress to form the Government?

He had only three people in the house. It is unprecedented, I think, in the history of the constitutional functioning throughout the world, that one person with three musketeers should have the affrontry to advise the Governor to dissolve the House when there was a clearcut majority there. First of all I would like to make this point. Where was political morality or propriety of Sheikh Abdullah in recommending the dissolution of the House when he knew fully well that the Congress Party had a clearcut majority? As a result of this undemocratic action, he would stand condemned in the eyes of the people. I think this is the first important point that this honourable House should realise.

Then Sir, what happened? What has the Governor done? Sheikh Abdullah should have resigned and asked the Governor to call upon the Congress to form the government there. He did not do that. Despite his professions he threw them to the winds and said 'dissolve it'. Then comes in the Governor. What has the Governor done? The Governor should have clearly pointed out that he had only three Members in the House and here was a party which had a clearcut majority. Before I dissolve the House, I must call upon this Party to form the Government. What has the Governor done? The Governor was here in Delhi. On the 25th letter to the Governor goes. And on 26th the Governor flies back to Jammu and without waiting without consulting the members of the Congress Legislature Party—i.e. he had any doubts

[Dr Karan Singh]

about our claim, he should have called us—but he goes back and the decision to dissolve the House is taken within three hours of his going back to Jammu and he dissolves the House

SHRI BALBIR SINGH Sir, I rise on a point of order

MR SPEAKER What is your point of order?

SHRI BALBIR SINGH This point cannot be agitated before the House

MR. SPEAKER No please I have admitted it now. When the Assembly is not in session and when there is President's rule there this House has full power to discuss that. Please sit down.

DR. KARAN SINGH Sir I would submit that Sheikh Abdullah had not acted in a proper manner in recommending to the Governor for the dissolution of the Assembly. This was nothing short of outrage. Sir I am not a constitutional lawyer but I do have some knowledge of political science and of the Constitution. In fact it will be interesting to note that Jammu and Kashmir Constitution became a law when I signed it. That is a historical fact. We are now being told that under Article 33 it was obligatory on the part of the Governor to dissolve the House. Article 33 is only an enabling provision.

Art 53 of the Jammu and Kashmir Constitution says that the Governor may from time to time, prorogue the House or either House or dissolve the Legislative Assembly. But Sir under no Article has it been said that a Chief Minister who has got three people with him in the House has got the power? The Governor on the advice of the Council of Ministers could dissolve the House. Where is the advice of the Council of Ministers to the Governor? It has not been taken.

I would submit another point. Here there are many eminent lawyers. Under Art 35 the appointment is made of the Chief Minister under the State Constitution. But the Governor is not bound by the advice of the Council of Ministers when he knew that Sheikh Abdullah had only got three people in the House and the Congress Parliamentary Party had a clearcut majority. Under Art 36 he should have called upon the Leader of the Congress Party to form a Government. Why did he not do that? Unless he had some specific instructions to dissolve the House in this undemocratic manner.

Then again under Art 92 he has assumed the power because of the break down of the constitutional machinery. Where has the constitutional machinery broken down? I do not think it has broken down. In fact he has broken down the constitutional machinery by recommending to the Governor to dissolve the House in this undemocratic manner. Art 92 says that if the constitutional machinery is broken down, then the Governor takes over the power. Can you find a parallel anywhere in the way the Constitution has been distorted in this manner? Even if he was able to do this, why did he not act under 356? I would submit to you—this is a very important point—that under Art. 356 at least the power of this Sovereign Parliament would have been operative in Jammu and Kashmir. At least there are democratically elected representatives of Jammu and Kashmir sitting here and also in the Rajya Sabha. What did he do? What has he done? The whole State has been handed over to a civil servant. There is no Assembly there. There is no democratic functioning. There is no way by which the will of the people can be expressed. Sir I would like to stress that not only has constitutional propriety and political morality been

thrown to the wind but also the sovereignty of this House has been eroded in Jammu and Kashmir. Are the people of Jammu and Kashmir not an integral part of India? Are the people of Jammu and Kashmir not have the democratic rights and privileges in the same way as people of other parts of India? What is the meaning of this extraordinary attitude that was adopted? Surely Sir, a very eminent person has become the new Law Minister and the hon. Home Minister is here.

I find it unpleasant to have—so soon after the formation of the Government—to say this. Sir, I remember the Prime Minister said soon after he took office. If we go wrong people should pull our ears. Now of course, it would be hypothetical and most imprudent for me to do that but I have to point out that you have slipped up within 48 hours of the formation of your government. You have not given this matter the correct consideration that it deserves. You have not realised the delicate situation—political and constitutional—of Jammu and Kashmir. You have thrown democracy to the winds within 48 hours. You have wrongly advised the President to accept the proclamation—just now the proclamation has been laid on the Table of the House. Under this proclamation the sovereignty of this Parliament is curtailed. The budget will not come before the Parliament. Where is the democratic representation in the budget? The budget is going to be passed by the civil servants. Is this the way that the new government is going to maintain and strengthen democratic traditions? I would like to submit Sir that what has happened is morally indefensible, legally untenable and constitutionally questionable.

Sir let me make one thing very clear that we are not lamenting the fact that Congress was not asked to form the government. This very Congress legislature voluntarily gave up power two years ago.

What we are lamenting is that the people of Jammu and Kashmir have been treated in a shabby manner. The people of Jammu and Kashmir who are integral part of the nation deserved better treatment at the hands of the

AN HON. MEMBER Be ready to face them

DR. KARAN SINGH We are prepared. We have just faced the people of the State. We will happily face them. That is not the point. The point I am making is that I am very sorry to have to say that in a critical matter like Jammu and Kashmir the government have slipped up and therefore, it has become—wittingly or unwittingly—partner to a sordid act of political betrayal. And as watch dogs of the welfare of the people it has become our duty to bring the matter before the House in the form of an adjournment motion and as such I commend this adjournment motion before this honorable House.

श्री मधु लिनये (बाबा) : अध्यक्ष महोदय, पहली बार सरकारी दल के सदस्य के नाते इस सदन में बोल रहा हूँ, इस लिए यह मुझे बड़ा घट पड़ा-सा लग रहा है जैसा हमारे दोस्त सुब्रह्मण्य साहब को भी अस्पष्टा ब्यवस्था या जिस समय के विरोधी दल के सदस्य के नाते बोल रहे थे।

अध्यक्ष महोदय मेरी तो सारी जिन्दगी ही विरोधी की राजनीति में बीती है, 16 साल की उम्र में 25 साल तक मैंने कांग्रेसी हुकूमत का विरोध किया, उसका बाद कांग्रेस सरकार का हम लोग विरोध करते रहे और जनता की सहाई मँडने रहे। लेकिन हम लोग जिस प्रतिपक्ष में बैठ कर काम करते थे, वह बिछरा हुआ प्रतिपक्ष था, कई दलों में बँटा हुआ था।

[Dr. Karan Singh]

about our claim, he should have called us—but he goes back and the decision to dissolve the House is taken, within three hours of his going back to Jammu and he dissolves the House.

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I would submit another point. Here there are many eminent lawyers. Under Art. 36, the appointment is made of the Chief Minister under the State Constitution. But the Governor is not bound by the advice of the Council of Ministers when he knew that Sheikh Abdullah had only got three people in the House and the Congress Parliamentary Party had a clearcut majority. Under Art. 36 he should have called upon the Leader of the Congress Party to form a Government. Why did he not do that? Unless he had some specific instructions to dissolve the House in this undemocratic manner.

Then again under Art. 92 he has assumed the power because of the breaking down of the constitutional machinery. Where has the constitutional machinery broken down? I do not think it has broken down. In fact he has broken down the constitutional machinery by recommending to the Governor to dissolve the House in this undemocratic manner. Art. 92 says that if the constitutional machinery is broken down, then the Governor takes over the power. Can you find a parallel anywhere in the way the Constitution has been distorted in this manner? Even if he was able to do this, why did he not act under 356? I would submit to you—this is a very important point—that under Art. 356 at least, the power of this Sovereign Parliament would have been operative in Jammu and Kashmir. At least there are democratically elected representatives of Jammu and Kashmir sitting here and also in the Rajya Sabha. What did he do? What has he done? The whole State has been handed over to a civil servant. There is no Assembly there. There is no democratic functioning. There is no way by which the will of the people can be expressed. Sir I would like to stress that not only has constitutional propriety and political morality been

thrown to the wind, but also the sovereignty of this House has been eroded in Jammu and Kashmir. Are the people of Jammu and Kashmir not an integral part of India? Are the people of Jammu and Kashmir not have the democratic rights and privileges in the same way as people of other parts of India? What is the meaning of this extraordinary attitude that was adopted? Surely, Sir, a very eminent person has become the new Law Minister and the hon. Home Minister is here.

I find it unpleasant to have—so soon after the formation of the Government—to say this. Sir, I remember the Prime Minister said soon after he took office. If we go wrong people should pull our ears. Now of course, it would be hypothetical and most imprudent for me to do that but I have to point out that you have slipped up within 48 hours of the formation of your government. You have not given this matter the correct consideration that it deserves. You have not realized the delicate situation—political and constitutional—of Jammu and Kashmir. You have thrown democracy to the winds within 48 hours. You have wrongly advised the President to accept the proclamation—just now the proclamation has been laid on the Table of the House. Under this proclamation the sovereignty of this Parliament is curtailed. The budget will not come before the Parliament. Where is the democratic representation in the budget? The budget is going to be passed by the civil servants. Is this the way that the new government is going to maintain and strengthen democratic traditions? I would like to submit Sir that what has happened is morally indefensible, legally untenable and constitutionally questionable.

Sir, let me make one thing very clear that we are not lamenting the fact that Congress was not asked to form the government. This very Congress legislative party voluntarily gave up power two years ago.

What we are lamenting is that the people of Jammu and Kashmir have been treated in a shabby manner. The people of Jammu and Kashmir who are integral part of the nation deserved better treatment at the hands of the .

AN HON. MEMBER Be ready to face them.

DR. KARAN SINGH We are prepared. We have just faced the people of the State. We will happily face them. That is not the point. The point I am making is that I am very sorry to have to say that in a critical matter like Jammu and Kashmir, the government have slipped up and, therefore, it has become—wittingly or unwittingly—partner to a sordid act of political betrayal. And as watch dogs of the welfare of the people it has become our duty to bring the matter before the House in the form of an adjournment motion and as such I commend this adjournment motion before this humble House.

श्री गुरु तिमये (काता) : प्रत्यक्ष महोदय, पहली बार सरकार ने हमारे सामने यह प्रस्ताव रखा है, कि हमारे देश में लोकतन्त्र का अर्थ क्या है, जिस समय के विरोधी हमारे सामने खड़े होंगे।

प्रत्यक्ष महोदय मेरी तो गारी विन्दो ही विरोधी की सरकार में खड़ी है, 16 मार्च की रात में 25 मार्च तक मैंने प्रत्यक्ष रूप से विरोधी विभा, उनके बाद कांग्रेस सरकार का हमारे विरोधी करने रहे और सरकार की सरकार बनने रहे। लेकिन हम लोग जिस प्रक्रिया में बैठ कर काम करने थे, वह प्रक्रिया हमारे विरोधी था, वह हमारे सामने खड़ा हुआ था।

[श्री मधु निमये]

आज मुझे बड़ी खुशी है कि हमारा नया सविधान हम देश में स्थापित होने के बाद पहली बार एक सर्वाधिक प्रतिपक्ष हम मदन में स्थापित हुआ है, इस लिए मैं आशा करता हूँ कि मताधारी दल और प्रतिपक्ष, मेरा तात्पर्य मान्यता प्राप्त प्रतिपक्ष सहै, दोनों मिल कर जन-स्वानन्द की रक्षा के लिए और समदीय समस्याओं को जड़ का मजबूत करने के लिए मिल कर काम करेंगे।

मैं इस बात का विन्यून नजरान्दाज नहीं कर रहा हूँ कि हमारे दल में योग विरोध पक्ष में बुनियादी मतभेद है लेकिन इन बुनियादी मतभेदों के बावजूद मैं उम्मीद करता हूँ कि राष्ट्रीय हितों का हम लोग सबीपर रखेंगे। मैं यह मानता हूँ कि जब हम प्रतिपक्ष में थे तो हम से भी कुछ भूतें हुईं होगी। मैं यह नहीं कहना कि हमारे सार काम ठीक ही थे लेकिन इस बात से इकार नहीं किया जा सकता कि जब देश के ऊपर आक्रमण हुआ था देश के ऊपर अन्तराष्ट्रीय सफट धाए, तब प्रतिपक्ष ने अपने ऊपर जिम्मेदारी ली और सत्ताह्व दल के साथ रह कर देश के हितों की और जनता के हितों की रक्षा की। उदाहरण के तौर पर मैं कहना चाहता हूँ कि जब 1965 की लड़ाई हुई, उस समय प्रतिपक्ष ने दलीय भावना से ऊपर उठ कर जनता और सरकार का साथ दिया। जब जनता दल का मामला सामने आया, तो अध्यक्ष महोदय, आप जानते हैं कि प्रतिपक्ष ने सहयोग की भूमिका निभाई और जब कभी हम मदन में काश्मीर का सवाल उठाया गया और उस के चर्चा हुई तो काश्मीर के सवाल के महत्व को, उस की अस्मिन्त का महत्त्व रखन हुए, हम लोगों ने हमारा राष्ट्रीय दृष्टिकोण अपनाया

था। मकट काल की घोषणा से पहले शेख अब्दुल्ला साहब और प्रधान मंत्री जी के बीच में जो समझौता हुआ था काश्मीर के मामले को लेकर और उस पर जो इस मदन में चर्चा हुई थी, उस की आज हमें याद आ रही है। मैंने उस चर्चा में भाग नहीं लिया था लेकिन मेरे मित्र श्री मधु दखते ने, जो अब रेल विभाग के मंत्री हैं, हमारी तरफ से भाषण किया था और अध्यक्ष महोदय, यदि आप और हमारे दूसरे मित्र उस भाषण को पढ़ेंगे तो पता चलेगा कि शेख अब्दुल्ला और प्रधान मंत्री जी के बीच जो समझौता हुआ था, उस का हम लोगों ने खुल कर समर्थन किया था। क्यों किया था। क्योंकि हमारी मान्यता थी कि काश्मीर का सवाल दलीय राजनीति का सवाल नहीं है। काश्मीर के साथ अगर आप दलीय राजनीति की बातें करेंगे तो सरी अपनी मान्यता है कि न केवल सत्ताह्व दल को घोट पड़वेगी, न केवल प्रतिपक्ष को घोट पड़वेगी बल्कि समूचे राष्ट्र की स्वाधीनता खतरे में पड़ जाएगी। इसलिए हम लोगों ने राष्ट्रीय दृष्टिकोण को अपना कर काश्मीर समझौते का समर्थन किया था।

मेरे जिस लायक दोस्त ने आज यह काम रोकने प्रस्ताव रखा है, वह मेरे मित्र हैं। उनका मैं बहुत आदर करता हूँ और जिस तरह से शेख अब्दुल्ला का स्थान काश्मीर की राजनीति में कोई नहीं छीन सकता है, उसी तरह से मैं मानता हूँ कि जम्मू व काश्मीर की सियामत में डा० कर्ण सिंह का अपना स्थान है। उससे मैं इकार नहीं करता। इसलिए मैं उम्मीद कर रहा था कि मेरे मित्र दलीय भावना से ऊपर उठ कर औचित्य के आधार पर, राष्ट्रीय हित के आधार पर और सविधान की जो धाराएँ हैं, उन के आधार पर इन बहस को उठाएंगे और अपना भाषण

करेंगे। हो सकता है कि हमारा जो सविधान है, चाहे म. व. का मविध. हो या काश्मीर का सविधान हो—बहुत सारे लोगों को शायद यह मालूम नहीं है कि काश्मीर का अपना अलग सविधान है—उसको ठीक से कुछ लोगो ने पढ़ा नहीं। अभी मेरे मित्र डा० कर्णसिंह ने कहा कि जब काश्मीर का सविधान बनाया तो उस पर उन्होंने हस्ताक्षर किए थे लेकिन पता नहीं कि उन्होंने हस्ताक्षर करते समय उसको पढ़ा या नहीं क्योंकि उस समय उन की उम्र बहुत छोटी थी और वे बहुत कम उम्र के थे। मैं कोई व्यक्ति के तौर पर नहीं बोल रहा हूँ। उस समय उनकी उम्र बहुत कम थी और इस लिए अगर उस समय उसको उन्होंने नहीं पढ़ा होगा, तो उसमें उन को कोई दोष नहीं लगता।

अध्यक्ष महोदय, इस में जो बातें हैं, उन के ऊपर हम लोगों को बिल्कुल निष्पक्ष और सदृश बन कर सोचना चाहिए।

मुझे बड़ा आनन्द हुआ कि इतना महत्व का सवाल कर्ण सिंह जी ने उठाया और आपने चर्चा के लिए उसको लिया। मैं अपनी सरकार से और हमारे सदस्यों से विनम्रतापूर्वक यह कहना चाहता हूँ कि जब कभी देश के महत्व का सवाल यहाँ आए तो यह देश की बड़ी भवायत है, इसमें उसकी चर्चा जरूरी होनी चाहिए। मैं अपनी पार्टी की ओर से आपका आग्रहस्त करता चाहता हूँ कि जिस प्रकार कांग्रेस पार्टी इससे भागती थी, हम अभी भी इस प्रकार के विवाद से भागेंगे नहीं। अगर हम से मत-तियां होनी हैं तो मैं अपने मंत्री महोदय और प्रधान मंत्री जी से कहूंगा कि वे विनम्र हो कर इस सदन के सामने आए और अपनी मतियों को बतल करे। मतितया बतल करने पर और विनम्रता में पेश आने पर

यह सदन उनको माफ करेगा। इसलिए अध्यक्ष महोदय, एक स्वस्थ परम्परा बननी चाहिए कि सत्ताधारी दल और विरोधी पक्ष के बीच जहाँ तक खुली बहस का सवाल है, वह हो। आपकी कोशिश होनी चाहिए, हमारी कोशिश होनी चाहिये, मेरी भी रहेगी, कि हर राष्ट्रीय महत्व का सवाल पर इस सदन में बहस हो और सभी मुझे सारे सदन के सामने आए और किसी को भी चर्चा से भागने का प्रयास नहीं करने दिया जाए।

मेरे स्वर्गीय नेता ने मुझ को सिखाया था कि जो दण्डधारी होता है, सत्ता में रहता है, उसको हमेशा विनम्रता से बात करनी चाहिए और विरोधी पक्ष के जा लोग होते हैं वे अगर गुस्से में भी बात करते हैं तो उसको बदरिक्त करना चाहिए। मैं आशा करता हूँ कि हमारे दल में इस भावना का पालन होगा। मैं अपने स्वर्गीय नेता की अब बात करता हूँ तो मेरा तात्पर्य डा० राम मनोहर लोहिया से है और डा० राममनोहर लोहिया ने हमेशा कहा है कि जो दण्डधारी है, जो सत्ता में है, उसको बहुत कुछ पीना चाहिए, बदरिक्त करना चाहिए। इस के लिए हमारी सदा कोशिश रहेगी। अगर हम मसती करते हैं तो आप हमको ठीक रास्ते पर लाने का काम कीजिए, हम आपकी बात को मानेंगे।

जहाँ तक आज के प्रश्न का सवाल है, कर्ण सिंह जी के भाषण की मैंने गौर से सुना है। उनका मुख्य मुद्दा यह था कि जिस मुख्य मंत्री के पीछे बेचल तीव्र सदम्या का समर्थन है, क्या ऐसा मुख्य मंत्री की सलाह पर राष्ट्रपति को या गवर्नर को—यदि इसमें राष्ट्रपति की सम्मति का सवाल आता है इसलिये मैंने राष्ट्रपति का नाम लिया—नाम करना चाहिए? आपका मुख्य मुद्दा यही था कि क्या राज्यपाल या राष्ट्रपति का इनकी सलाह पर काम करना जो परिस्थिति उत्पन्न होती है उसको समाप्त

[श्री मधु निमये]

बन्ना चाहिए ? आप कहते हैं कि मुख्य मंत्री के अनायास और योग का बड़ा बूमस था । ठीक है जिन स्तर पर इसको चर्चा हानी चाहिए उसी स्तर पर इसकी चर्चा करना ।

आप 1972 के चुनाव का उल्लेख किया है । माफ कीजिए मैं यह बात आज नहीं कह रहा हूँ क्योंकि मैं इसपर बँठा हूँ । 1972 में जब तब चुनाव के नतीजे नहीं आए थे, मैं बिहार और पश्चिम बंगाल का दौरा करके आया था और कश्मीर के बारे में मेरे पास मनाआर आये थे, तभी मैंने एक पत्रकार सम्मेलन में कहा था कि कश्मीर और पश्चिम बंगाल में जो चुनाव हो रहे हैं वे न तो निष्पक्ष हैं और न स्वतंत्र पातावरण में हो रहे हैं । मैं तो इससे भी आगे जाकर कहूँगा कि स्वतंत्रता प्राप्ति के बाद से कश्मीर में बिन चुनाव हुए वे सभी स्वतंत्र चुनाव नहीं हुए हैं । बड़ा स्वतंत्रता के पातावरण में चुनाव नहीं कराये गये । यह मेरी राय है । आप मुझ से मतभेद रख सकते हैं । इसलिए 1972 के चुनावों का जो आधार आप बता रहे हैं, मैं कहता हूँ कि यह बिल्कुल निराधार बात है । 1972 के चुनावों में जम्मू और कश्मीर की जनता का जो सही मत है वह अभिव्यक्त नहीं हुआ था । यह मेरी राय है ।

प्रधान महोदय, इसी एक बात इस सदन की ध्यान में रखनी चाहिए । 1972 में जो विधान सभा चुनी गयी थी वह पांच साल के लिए चुनी गयी थी । आने वाले समय में, एक व्यक्ति की गरीबी बचाने के लिए, इस देश में सरकारों की घोषणा की और संविधान की धाराओं का दुरुपयोग करके भ्रष्टाचारियों की मियादों की बढ़ावा, इस सदन की मियादों का बढ़ावा । आपने भीचिय और नैतिकता की बात की । मैं आपसे एक बात पूछना चाहता हूँ कि 25

जून, 1975 को किसी ने इस देश में सत्तारूढ़ता की बात की थी ? क्या कोई विद्रोह की स्थिति थी ? क्या लोकनायक जय प्रकाश नारायण के निःपुण तरीकों को मन से स्वीकार नहीं करने थे ? यह बात भी बड़ी गई कि लोकनायक जयप्रकाश नारायण सेना और पुलिस को उसका रहे रेलेक्टिव उन्होंने सिर्फ इतना ही कहा था सेना के विपक्षियों को, भ्रष्टाचारियों को पुलिस दल के सदस्यों को कि, गैर कानूनी और 'संवैधानिक' हुकम को नहीं माना चाहिए । अगर केवल हुकम को ही आधार लिया जाएगा तो हिटलर के आदेश पर जो आत्याचार किए गए मृत्युओं के आदेश पर जो दयावाचक किए गए थे क्षम्य मानने पड़ेंगे । इसलिए मैं आपसे कहना चाहता हूँ कि लोक नायक जय प्रकाश नारायण ने सेना और पुलिस में विद्रोह फैलाने का कोई प्रयास नहीं किया । अगर सरकारों का लगाना ही था तो गुजरात आन्दोलन जब चरम सीमा पर था तब लगाया होता और इस प्रतिष्ठित आपकी बात सही है । ऐसा जनता कहती । बिहार आन्दोलन जब चरम सीमा पर था तीन बार, पांच भक्तपुर को और बिहार बन्द का आह्वान..

MR. SPEAKER The time is limited and we can discuss it when we are discussing Bihar and other States later on. That is a bigger issue. Please come to Kashmir.

श्री मधु निमये - मैं यह इसलिए कह रहा हूँ कि संसदाल में ही इस विधान सभा की मियाद को बढ़ाया गया । नहीं तो कर्ण सिंह जी को काम रोको प्रस्ताव रखने की छूट ही आप नहीं देने । मैं आपसे नम्रतापूर्वक कहना चाहता हूँ कि जहाँ तब नैतिकता का सवाल है जम्मू कश्मीर की विधान सभा का कोई नैतिक आधार नहीं बचा था । वह टूट गई थी । उसको तो बैसे ही खत्म किया जाता मुख्य मंत्री की सलाह के बिना तो भी वह उचित होता, नैतिक होता । नैतिन उसकी बात मैं नहीं कह रहा हूँ ।

स्वयं कर्ण सिंह जी ने कहा है कि कारमीर का अपन सविधान है । क्या है सविधान की धारा ? यह 35 (2) है जो अंग्रेजों ने है और इसको मैं धीरे धीरे पढ़े देता हूँ ।

"All functions of the Governor except those under sections 36 38 and 92 shall be exercised by him only on the advice of the Council of Ministers"

DR. KARAN SINGH Council of Ministers, not the Chief Minister

श्री मधु लिमये मैं इसलिए कहता हूँ कि आपकी उम्र तब छोटी थी, आपने उस समय सविधान को नहीं पढ़ा था । अब दुबारा आपको इसको पढ़ना चाहिये । आपने जिस पर हस्ताक्षर किया उस में आपने तिरफें कहा है । आपने हस्ताक्षर किए हैं मैंने नहीं किए हैं । मैं तो प्रतिपक्ष की राजनीति उन दिनों किया करता था । आपने हस्ताक्षर किए हैं । इस में लिखा हुआ है कि जिस मुख्य मंत्री के पीछे तीन लोग हैं, चार लोग हैं, पांच लोग हैं, सो लोग हैं, दो सो लोग हैं, जहां तक डिप्लोमेशन का संबंध है, विपटन का संबंध है वह तो मुख्य मंत्री की सलाह पर या प्रधान मंत्री की सलाह पर ही होता है । आप अगर मुझे बहस में ले जाना चाहते हैं तो मैं सिफारिश करता हूँ कि यह भाइवर जैनिंग की किताब है, कैबिनेट गवर्नमेंट इसको आप पढ़िये । मैं सदन का समय बरबाद नहीं करना चाहता क्योंकि यह कोई डिबेटिंग यूनियन नहीं है । हम जनता के प्रतिनिधि हैं और जनता की बात हम लोग बोलेंगे । यह कोई यूनियनिसटी की छात्र यूनियन नहीं है । मैं कहना चाहता हूँ कि सदन को विपटित करने का अधिकार इंग्लैंड में हमेशा प्रधान मंत्री का ही रहता है । उसके बारे में अगर आप चाहते हैं तो मैं एक वाक्य पढ़े देता हूँ । मैं कोई लौटमरोट कर बातों को कहने का भारी नहीं हूँ ।

"During the last 100 years there is no instance of refusal of dissolution by the King when advised by the Cabinet"

हा भाई कैबिनेट है लेकिन होता है सब प्रधान मंत्री के कहने पर । इन्दिरा जी भी आप को पूछती नहीं थीं, आप को इत्तिला देती थी । हमारे बाबू जगजीवन राम जी कहते हैं कि हम को इत्तिला दी जाती थी । सलाह नहीं की जाती थी । जिन मंत्रियों ने, जब सकटवाल की घोषणा की गई, कई नेताओं को गिरफ्तार किया गया तो उस के ऊपर सबेरे हा करने के प्रस्ताव और कुछ नहीं किया । कम से कम उन लोगों को कैबिनेट की बात नहीं करनी चाहिये वरना बड़ा मामला मुश्किल हो जायगा आप लोगों के लिये ।

"There has been nevertheless a persistent tradition that he could refuse if the necessary circumstances arose"

आगे वह कहते हैं :

"It is difficult to see what those circumstances would be"

और अब तब ऐसी स्थिति पैदा नहा हुई कि जिसमें वहां की रानो ने या राज ने मंत्री को सलाह को ठुकराना उचित समझा हो । अगर इधर 50 साल में कोई उदाहरण दे सकते हैं आप तो दे दीजिये ।

मैं आप से यह कहना चाहता हूँ कि आप ने कहा कि यह बहुत भ्रमाधारण बात मालूम पड़ रही है कि जिस व्यक्ति को तीन व्यक्तियों का समर्थन है ऐसे मुख्य मंत्री को सलाह पर विधान सभा को बर्खास्त किया गया । लेकिन मैं पूछता हूँ कि जब आप या बहुमत जम्मू कश्मीर में या तब आप को जरूरत पड़ा पड़ी इस व्यक्ति के पीछे मानने की ?

डा० कर्ण सिंह - मैं समझता हूँ आप को ।

श्री मधु लिमये नहीं समझाया। क्योंकि शेख अबदुल्ला समाधारण रवाना करने के कश्मीर की परिस्थिति में दमनिये रिपब्लिकेशन में बहुमत पाने के बाद भी आप ने स्वयं महसूस किया कि कश्मीर को जनता आप के साथ नहीं है। ना कश्मीर का घोर भारत का जो रिश्ता है उस को सुदृढ़ करने के लिये आप ने यह मुनासिब समझा कि शेख साहब के साथ बातचीत की जाय और उन के साथ समझौता किया जाय। उस समझौते के बारे में अगर किसी ने सदेह उत्पन्न किया था तो ऐसे व्यक्ति के जो आज सरकारों बेंचों में हैं। लेकिन आप लोगों में से किसी ने भी यह सदेह नहीं प्रकट किया था। और आज शेख अबदुल्ला के बारे में आप जो बातें कह रहे हैं मैं पूछता हूँ कि क्या यह राष्ट्रीय हित में है?

प्रधान मंत्री ने उस समय चर्चा का समापन करते हुए क्या कहा है वह मैं बताता चाहता हूँ, हालांकि इन्दिरा जी को उद्धृत करना मैं उचित नहीं समझता हूँ, लेकिन वह प्रधान मंत्री श्री इसलिये बहसियत प्रधान मंत्री मैं उन को उद्धृत कर रहा हूँ, न कि इन्दिरा जी को। एक तो पहले इन्दिरा जी ने यह कहा

"A distinctive constitutional feature in respect of Jammu and Kashmir is that it has its own Constitution supplementing the Union Constitution under specific provision in Article 370

आपने शेख अबदुल्ला के बारे में प्रधान मंत्री जी कहा है।

"Even so he managed to look dignified and every inch a leader. He was attracted to the message of the national freedom civil liberties and religious equality which our national movement propagated and these became the guidelines of

his own National Conference which mobilised the people of Kashmir"

यह चूँकि शेख साहब का स्थान कश्मीर की सिपासत में था इसीलिये प्रधान मंत्री ने उचित समझा उन के साथ बातचीत करना और हमने मुनासिब समझा कि हम में आप का समर्थन करें। आप न जब कश्मीर में समाधारण स्थिति पैदा की कि तीन व्यक्ति का समर्थन जिस व्यक्ति को प्राप्ति या ऐंमें भारतीय को आप ने मुख्य मंत्री बनाया। अब आप यह कहते हैं। तो इस में सार होता है कि शेख अबदुल्ला का यह सदेह ठीक था कि आप उन को अपने बहुमत में फातकर उनको गुलाम बनाना चाहते थे और उन को स्वतंत्र मुद्दि में कश्मीर की सरकार चलाने नहीं देना चाहते थे।

मैंने यह भी सुना है कि सबत वार में बहुत भारी काम करने के लिये उन पर दबाव डाला गया। वह तो गिरफ्तार करने के लिये तैयार नहीं थे। आज मैं शेख अबदुल्ला को क्याई देना चाहता हूँ कि उन्होंने जल्द से जल्द धार० एम० एस०, जमायने इस्लामी और विपक्ष के नापा का छोड़ा। मैं जेल में उनको पत्र लिखा था, मुझे पता नहीं कि वह पत्र उनके पास पहुँचाया गया था नहीं? मैंने शेख साहब का पत्र में कहा था कि मुझे बड़ी खुशी है कि आप पूरी जान तो भरने दिन को नहीं कर सके, लेकिन कम-से-कम रिहाई के मामले में आप धरमर रहे हैं। इसी प्रकार लोकतंत्र की रक्षा आपकी अवधि में भी करनी चाहिये।

इन्दिरा मैं यह कहूँ, चाहता हूँ कि समाधारण व्यक्ति समाधारण इस स मुन्सुमवा बनाया गया। यह ठीक-ठीक पहले मावता चाहिये था कि 3 व्यक्ति उनको पीछे है। हाँ सक्ता है कि 3 सदस्य उनके पीछे थे, लेकिन

काश्मीर धर्मो की अधिकांश जनता भोग
माहव के पीछे थी, यह मैं कहना चाहता हूँ।
यह मित्र होगा।

आप पूछेंगे कि जब मुख्यमंत्री की मनाह
पर असेम्बली को विघटित किया गया तो
वास्तव में मन्त्रालय उठना चाहिये कि
असेम्बली को विघटित करने के बाद मुख्य-
मंत्री को मुख्यमंत्री पद में क्यों हटाया गया ?
मैं तो यह मन्त्रालय उपस्थित करने जा रहा हूँ
लेकिन उनमें हमारी लाचारी है। इन्हीं में
जब मदन बा. विघटित किया जाता है तो
वेयरटेकर पाइम मिनिस्टर रह जाता है।
इसलिये चुनाव की घोषणा होने के बाद आपने
जा परिस्थिति हमारे सामने पेश की है कि
चुनाव के दरम्यान कर्मचारियों का बोट
हासिल करने के लिये महंगाई भत्ते की घोषणा
करना, मजदूरों के लिये बेतन वृद्धि की घोषणा
करना, किसी क्षेत्र के मतदाताओं का समर्थन
प्राप्त करने के लिये कि हो प्रकल्प की घोषणा
करना, यह तो गोरखधंधा आप करते प्राये हैं, लेकिन
मेरी राय में अब चुनाव की घोषणा होती है,
उसके बाद इस तरह का काम किसी भी सरकार
को नहीं करना चाहिये और केवल अन्तरिम
सरकार, वेयरटेकर गवर्नमेंट के नाते वह
काम करती। यह काश्मीर में क्या सम्भव नहीं
होगा ? अब मैं बहुत उदाहरण देने लगता तो
अध्यक्ष महोदय टीकेंगे कि बहुत समय नहीं है,
लेकिन मैं उदाहरण के तौर पर बोल रहा हूँ।

अध्यक्ष महोदय, मैं यह कहने जा रहा था
कि वास्तव में शेष अन्दोलन को रहने देना
चाहिए था मुख्यमंत्री, लेकिन क्यों नहीं रहने
दिया गया ? हमारी लाचारी थी क्योंकि
। अप्रैल, के पहले हमको बजट पास करना
था। केन्द्र में बजट पास करने के लिये विन्कुश
यह राय भूतपूर्व प्रधान मंत्री को दी गई थी
कि लोक सभा में अगर संदिग्ध स्थिति रहती
हो तो, मैंने यह सुना था कि प्रधान मंत्री राष्ट्रपति
को यह सलाह देने वाली है कि लोक-सभा को
विघटित करो और फिर से चुनाव कराओ
और अध्यादेश के जरिये बजट पास करो।
लेकिन जहाँ तक मैं समझ पाया हूँ कि केवल

साधारण विधेयक अध्यादेश के जरिये पास
होता है कोई भी वित्तीय विधेयक या विनियोग
विधेयक इस तरह अध्यादेश के जरिये पास
करना संविधान के भाग मिलवाड करना है।
लेकिन मान भी लीजिये कि वित्तीय विधेयक
अध्यादेश के जरिये पास किया जा सकता है
मगर अनुदान को मांग का क्या होगा ? हमारी
धारा 113 में लिखा है कि लोक सभा के द्वारा
अनुदान मांग के समर्थन के बिना आप
अप्रोप्रियेशन बिल पास ही नहीं कर सकते,
तो असेम्बली के बिना हम क्या करते। असेम्बली
होनी ही चाहिये नहीं तो अनुदान की मांग
कंग पारित करते ? यह स्थिति उत्पन्न हुई,
इसीलिये बड़ा राज्यपाल को कहा गया कि
मामला राष्ट्रपति की सलाह से उनका
अनुमान लेकर तय कीजिये। राष्ट्रपति ने
अनुमति दी कि वर्तमान स्थिति में और कोई
चार नहीं है, यह बजट का मामला इस
सदन में प्राये, काश्मीर संविधान के खंड 92
के तहत मुलटाया जाए इसलिये वहाँ पर राज्य
का शासन लागू किया गया है।

आपको मैं आश्वासन देना चाहता हूँ
कि हमारा इरादा यह नहीं है कि देश तक यह
चुनाव न कराये जाये, 6 महीने के अन्दर चुनाव
करना लाजमी है काश्मीर में। मुझे तो कोई
अधिकार नहीं है, मैं एक साधारण सदस्य
के नाते बोल रहा हूँ, लेकिन मुझे पूरा विश्वास
है कि जल्द में जल्द हमारी सरकार चुनाव
कराने का प्रयास करेगी और उस समय यह
कैसला होगा कि नैतिकता, औचित्य और लोक-
तन्त्र का जेम विज को है, जनता किस के साथ
है। आप इस चुनौती को चुनाव के क्षेत्र में
स्वीकारियेगा। यहां इस तरह की बात
से कोई नतीजा निकलने वाला नहीं है।

इसलिये सारे सदन में मेरी अपील है
कि स्वयं प्रस्ताव की ठुकरा दिया जाये।

SHRI C. M. STEPHEN (Idukai).
Mr. Speaker, Sir, there are two addi-
tional points that I want to make
The copy of the proclamation that

[Shri C. M. Stephen]

was laid on the Table of the House shows that the proclamation was issued under Article 92 of the Jammu and Kashmir Constitution. Now this 92 corresponds to Article 356 of our Constitution. Our Constitution was made applicable to Jammu and Kashmir by the 1954 Order of the President issued under Article 370 of the Constitution (Application to Jammu and Kashmir) Order 1954 is before us. And that order says—

"The provisions of the Constitution (as in force on the 20th day of June 1964), and as amended by the Constitution shall apply in relation to the State of Jammu and Kashmir and the exceptions and modifications subject to which they shall so apply shall be as follows.

The point I am making is, of course for Jammu and Kashmir there is a Constitution. That was the case upto 1954. In 1954 under Article 370 of the Indian Constitution the present order was promulgated on Jammu and Kashmir. Therefore subject to the narration in this order, the entire Constitution of India applies to Jammu and Kashmir. And Article 13 of that Application Order makes Article 356 applicable to Jammu and Kashmir. There are certain articles which are exempted. Article 356 is made applicable to Jammu and Kashmir. This is what it says.

"In clause (1) of article 356 references to provisions or provision of this Constitution shall, in relation to the State of Jammu and Kashmir, be construed as including references to provisions or provision of the Constitution of Jammu and Kashmir."

Under Article 92, sub article 2 it is stated that certain modifications may be made under the Jammu and Kashmir Constitution. That power is also taken under Article 356. What is the difference between Article 356 of the Indian Constitution and Article 92 of the Jammu and Kashmir Constitution? Whereas Article 356 of the

Indian Constitution, sub-clause (b) of clause 1 says 'declare that the powers of the Legislature of the State shall be exercisable by or under the authority of Parliament', this is omitted under Article 92 of the Jammu & Kashmir Constitution. The result is that under the Jammu & Kashmir Constitution the legislative power, the budgetary power, all powers are vested in the officer who takes over the administration whereas under our Constitution the power is vested in the Parliament of India. By applying this Article 356 to Jammu and Kashmir, this Parliament has taken over power under the emergency provisions to legislate even in the same manner as in the case of Tamil Nadu, Pondicherry and other States which are under President's Rule. My first question is this. When Article 356 is applicable to Jammu and Kashmir this Parliament has got the power to legislate for the people of Jammu and Kashmir, grant budgetary grants and everything for the people of Jammu and Kashmir, why is it that the Government of India advised the President to sanction proclamation of Order under Article 92?

That is a very grave and important question, on which I would ask for elucidation, because we want Kashmir to be part of the entire India. Kashmir is a part of the entire India. Kashmir has come into the national main stream of India. In order to make it so this promulgation order was passed. We could take the entire power. Why was Article 92 preserved, when article 356 is available? Why is the officer or the bureaucrats given all the powers when you have got the power to take over legislative functions and everything? This is important, particularly with respect to a State like Kashmir on this a clarification is called for. I submit that whereas under the Presidential Order, Article 356 is applicable nullifying thereby Article 92 i.e. making it inoperative the order passed under Article 92 by passing an order to be passed under Article 356 as per the application order of the President, this order passed by the Governor with

the consent of the President of India is absolutely null and void. This is my first point.

My second point is that the Government of India have got to explain to this House why they preferred Article 92 to Article 356 and why they preferred Mr Jha to legislate vis-à-vis the Parliament of India doing it. Again Mr Madhu Lamaye said that when an advice is given it has got to be accepted. Let us look at Article 35. It says that all the functions of the Governor except certain things shall be exercised by him only on the advice of the Council of Ministers. May I submit that the law with respect to the dissolution of Parliament has now been spelt out? I will read out an authority where it is spelt out as to what exactly is meant by convention and what exactly the rules are. I do not want to read all the rules. I would read only this:

The Crown may under certain circumstances, refuse a dissolution to a minority government whether defeated or undefeated provided an alternative government is possible and able to carry on with the existing House.

This is a Cambridge University publication and accepted as an authority in the constitutional law. It sums up the law on the matter in these terms: "most constitutional lawyers seem to support the idea that in a divided House particularly with a multi party system a minority government whether defeated or undefeated is not entitled to a dissolution if an alternative government is possible and furthermore it is capable of carrying on with the existing House." Therefore I submit that the law with respect to the constitutional conventions are these: The Crown has got the authority to dissolve. This is number one. Secondly the Crown can dissolve on the advice of the Prime Minister. Thirdly the Crown can dissolve on the advice of the Council of Ministers. Fourthly the Crown can refuse the dissolution if an alternative government is possible.

What the Jammu and Kashmir constitution has done is that it has vetoed the proposition that the Prime Minister can advise and that a dissolution can be on the basis of the Prime Minister's advice. This has been a contented proposition and the settled law is that the Prime Minister as distinct from the Council of Ministers can advise. But the Jammu and Kashmir constitution says not the Prime Minister but the Council of Ministers. Secondly it is stated that the arbitrary power of the Crown to dissolve without the advice of the Prime Minister or the Council of Ministers is taken away. Thirdly the point is that by the use of the word may in the subsequent clause the power to refuse is preserved. That is the convention by giving the authority to refuse if an alternative government is possible. That is preserved by the constitution of Jammu and Kashmir. If so the first question I would like to raise is this: Did you apply your mind as to whether this advice was given by Mr Sheikh Abdullah or by the Council of Ministers? The news is that Mr Sheikh Abdullah arrived here on the 24th and he was here on the 25th and 26th. Six of the Council of Ministers had resigned. Their resignation was not accepted.

Therefore they were the Council of Ministers. So this question has to be gone into whether the Council of Ministers met, whether the Council of Ministers have recommended or whether this recommendation was by the Chief Minister. Even going by article 35 of the Jammu and Kashmir constitution a recommendation by the Chief Minister shall not be accepted. It is only a recommendation by the Council of Ministers that shall be accepted. I would like to get the report to see as to what exactly the position is. If the advice is only by Shri Sheikh Abdullah, it is absolutely without legal basis.

Then even if it is by the Council of Ministers it is undisputed that an alternative Government is possible. When an alternative Government is

[Shri C. V. Stephen]

possible I do not know how this section 92 or article 356 applies. Section 92 applies only when the government of the State cannot be carried on in accordance with the provisions of the Constitution only when the Governor is satisfied that the government of the State cannot be carried on in accordance with the Constitution it is only then he has got the jurisdiction to dissolve the Legislative Assembly. But the factual position is that the government could be carried on because it is not disputed that there was an alternative party which was prepared to take over and run the administration. Therefore even if section 92 would apply even if article 356 would apply the basic question is whether the government could or could not be carried on. There was no break down of the Constitution. Therefore there was no justification for an officer to take over the powers which remain vested in the Legislative Assembly.

One more quotation from the same book. It says

'Dissolution of Parliament is in this country one of the prerogatives of the Crown. It is not a mere feudal survival, but it is a part, and I think a useful part of our constitutional system. It does not mean that the Crown should act arbitrarily and without the advice of responsible Ministers, but it does not mean that the Crown is not bound to take the advice of a particular minister to put its subjects to the tumult and turmoil of a series of General Elections so long as it can find other Ministers who are prepared to give contrary advice. The notion that a Ministry which cannot command a majority in the House of Commons, a Ministry in a minority of 31 per cent in these circumstances is invested with the right to demand a dissolution is as subversive of constitutional usage as it would in my opinion be pernicious to the general and paramount interest of the Nation at usage.'

My submission therefore is this is a dangerous constitutional precedent that you have set up. An alternative government is possible the advice has been given not by the proper person. article 356 was by-passed. Parliament kept away from the whole thing. Parliament is not given the power to legislate for the people of the country and an officer was given all the powers as if Jammu and Kashmir forms a separate country altogether, which has nothing to do with us, as if it is not a part of the national mainstream. This speaks ill of a government which is headed by Shri Morarji Desai. That is all what I have got to say.

I do not want to controvert all the allegations made by Shri Limaye. That can be done in a different forum altogether. But it was unfortunate that Shri Limaye made the observation that elections in Jammu and Kashmir were rigged. Let him remember that the top persons who now guide the administration on the other side they were part of the Government of India they were the guiding fathers in the Government of India, when the elections in Jammu and Kashmir were taking place. It is absolutely against the national interest that on the floor of the Parliament of India we should make a statement that whatever elections were held in Jammu and Kashmir from 1947 onwards were all rigged. By this statement we are giving grief to the mill or international anti-Indian propaganda, which will give a good handle to Pakistan. I am sorry this statement was made. I firmly repudiate this statement. That is all what I have to say.

SHRI K. S. HEGDE (Bangalore South) Mr Speaker Sir I am extremely happy that the Congress Party has developed faith in democratic norms. But the bona fides of this claim have still to be examined in the days to come to know whether it is only a political stunt or whether they really believe in democracy. Be-

cause the last 20 months rule of the Congress Party has demonstrated completely that it has absolutely no faith in democracy. Every democratic institution in the country has been damaged, every organ of the State has been either damaged or partly destroyed.

18.00 hrs

Coming to the imposition of Governor's rule in Jammu and Kashmir, the Congress Party will remember what it did in Tamil Nadu. I am not here to consider whether the Tamil Nadu Government was a good or a bad government, but it was not for the Central Government to decide whether it was good or a bad government; it was for the people of the State to decide whether it was good or bad.

SOME HON. MEMBERS: And they have decided.

SHRI K. S. HEDGE: The Members of the Congress Party say that they have decided. If they have decided, the people of India have also decided that the Congress Party was a corrupt party.

DR. HENRY AUSTIN (Ernakulam): Was the election in Tamil Nadu also rigged?

SHRI K. S. HEDGE: I do not know; you are in a better position to speak about it.

SHRI M. KALYANASUNDARAM (Tiruchirappalli): On a point of order. We are now discussing the Kashmir situation and not Tamil Nadu. Is it in order for the hon. Member to compare Tamil Nadu with Kashmir?

MR. SPEAKER: There is no point of order. Both are parts of India and they can be compared.

SHRI K. S. HEGDE: He seems to be very touchy when I refer to the democracy of the Congress Party supported by the CPI earlier.

Let us now consider the question from the political as well as constitutional points of view. So far as the first is concerned, there was a political agreement between Sheikh Abdullah and the Prime Minister of India. Under that agreement, the Congress Party agreed to hand over the reins of power to Sheikh Abdullah. It was an agreement entered into, though not permanently but at least for the duration of the Assembly's life. Sheikh Abdullah appears to have made several attempts to hold local board elections, but the Congress Party persistently stood in his way because they were afraid of facing the people. They did not want an election at all.

I am not going into the question whether the elections in 1972 were rigged or not, but there is no doubt that there were complaints. They may have been true or not, but the fact remains that there were complaints and therefore the genuineness of the elections was an open issue.

Let us examine it from the constitutional point of view. What was the basis on which the Congress Party made over the power to Sheikh Abdullah and his Party? Congress members were the elected representatives. It was their duty to carry on the Government. If they were the real representatives of the people, under the Constitution of India as well as under the Constitution of Jammu and Kashmir, it is the representatives of the people who must govern the State, not anybody and everybody. If the Congress Party really represented the people, if the Congress Party believed that they represented the people, they could not have handed over power to Sheikh Abdullah. It was not a property right or a transferable right. What is the necessary implication arising from their handing over the reins of government to Sheikh Abdullah and his party? It is that they have recognised Sheikh Abdullah as

[Shri K S Hegde]

the real leader of Kashmir and his party as the real representatives of the people of Kashmir. Having done that they have no right now to say that they will again take over the government.

Can you show me one constitutional provision or legal provision under which an elected party can hand over the power to any other party?

(Interruptions)

SHRI C M STEPHEN rose—

(Interruptions)

MR SPEAKER I do not allow like this. You are a senior Member of the House. Anybody can do it. We will be helpless.

(Interruptions)

SHRI K S HEGDE It shows that that party is the real party of the representatives of the people of Kashmir. What happened? The term of the Legislature was for five years. The Congress government at the Centre declared emergency, imprisoned people, extended the life of the Legislature and thereafter the Congress party in Kashmir withdrew its support, extended to Sheikh Abdullah. The real question to decide is whether Sheikh Abdullah when he demanded the dissolution of the House was voicing the opinions of the people or not? There is one established convention about it. When the Prime Minister asks the Head of the State to dissolve the Legislature and if the Head of the State comes to the conclusion that the demand is supported by public opinion, then it is the duty of the Head of the State to dissolve the Legislature.

Mr Speaker, you will remember what has happened recently in Australia. The Governor General of Australia dissolved the Legislature. In Australia the Labour Party was in majority in the Lower House. The Governor General opined that the majority in the Legislature did not represent the majority in the country.

Similarly, the Government of Kashmir has evidently come to the conclusion that the Congress majority in the Legislature does not represent the majority of the people in the state. It was open to him to come to that conclusion. I do not know why the Congress Members are very touchy in facing the elections. I know they probably know what the result will be and that is why they are not willing to face elections. I am quite confident that elections will be held there very soon and the democratic process will again be restored. Then you will find the free representatives of the people there governing the State. Under these circumstances, I support the action of the Governor and oppose the adjournment motion as it has no substance.

SHRI ABDUL AHED VAKIL (Baramulla) Mr Speaker Sir, the controversy raised by the Congress Members about the imposition of President's Rule in Kashmir is to be looked in the background of Article 317 of the Constitution of India wherein the special constitutional position has been given to Kashmir. According to the Constitution of Kashmir, it is the Chief Minister concerned who advises the Governor on the functioning of the Government and whether it functions according to the law of the Constitution or not.

Now the whole episode is to be looked into from the background which is totally political. When Sheikh Abdullah was installed in power that was the consequence of an agreement between the Congress party and the National Conference as a consequence of which the then Chief Minister of Kashmir stepped down and Sheikh Abdullah was restored to Chief Ministership of Kashmir. I would like to know first, whether the suppression of the rights of the people of Kashmir is murder of democracy or restoration of democracy. Our friends here have said that it is murder of democracy. I say it is restoration of democracy in Kashmir.

After a very long time, the people of Kashmir have been given an opportunity to send their real representatives to the Assembly. The Congress has also got an open field to field their candidates to fight elections and measure the strength if any they have.

I am very confident and I repeat with full confidence that the reverses in the whole of India alerted the Congress people in Kashmir to take event from Sheikh Abdullah by saying that they withdraw the support or they do not want to give any further support to him. What do they say to the statement of their own Congress General Secretary who says 'Most of the Members side with me and we do not want to withdraw the support to Sheikh Abdullah'? The Congress in Kashmir is itself a divided house. In the circumstances when the Congress party having a majority in the Legislative Assembly was divided against itself when the machinery of the Government could not be run. Sheikh Abdullah who according to them is the accredited leader of the people of Kashmir advised rightly to the Governor that, under these circumstances it was not possible for the Government to function in accordance with the Constitution in accordance with the law and the political atmosphere that had developed through the misdeeds of the other side that the Assembly should be dissolved and therefore, the elections be held so that the people of Kashmir get a chance, after a very long time to elect their own real representatives to the Assembly.

I do not want to spell out that stifling atmosphere created in the last 20 months in Kashmir. I do not want this opportunity to be taken for narrating the atmosphere which was built deliberately for the suppression of the rights of the people of Jammu and Kashmir State. The action taken by the Governor and supported by the Central Government

is absolutely constitutional and right and the people of Kashmir, as the information goes are solidly behind it. They have hailed the decision of the Government. Therefore, I say that the President's Rule imposed in Kashmir is a right decision and it has come at a right time.

SHRI JYOTIRMOY BOSU (Diamond Harbour) Mr Speaker Sir it is good to see that you have readily admitted this adjournment motion because as I gather from 25th June 1975 all the windows and ventilators even were closed. Previously we had seen the ruling party trying to seek shelter under the table of the Speaker. Well that has not happened in this case.

The adjournment motion betrays Congress fear to face the people. What is sauce for the gander is not sauce for the goose. That is revealed very clearly. What does the Constitution say? It was signed by the mover of the adjournment motion himself. Whether he was mature or not is a matter for me to question. If the people wanted to amend the Constitution they could change it. That is different. But according to the Constitution the procedure followed by the Governor was the only course left to him. I want to be enlightened by the non-mover Dr Karan Singh the erstwhile Minister of Nubandi. How does the question of censoring the present Government arise? I would like to be educated on that. According to the Constitution which he had signed—I do not know whether he has read it. Mr Madhu Ilimaye has correctly pointed out—in article 35(2), it clearly says

"All functions of the Sadr-i-Riyasat except those under sections 38, 38 and 32 shall be exercised by him only."

Mark the word 'only'.

"...only on the advice of the Council of Ministers."

[Shri Jyotirmoy Bosu]

Coming to 53(2)(b), it says clearly

"The Sadar-i-Riyasat may from time to time dissolve the Legislative Assembly

I would like to be educated as to where the lapse is, how you propose to censure the Government and for what lapse. This Adjournment Motion is a censure motion. Therefore, we would like to be enlightened where you have discovered the lapse on the part of the present Government sitting opposite to you.

Of course if you look into the recent past or even the past, you would see that the Congress Party sitting on my right where the cushion hurts them I, know, has been the topple masters and mistresses. This has come in their mouth in 1959 'Samara Vimochanam' in Kerala. We know how it was done. We know who was the President of the Indian National Congress at that time, now gone into oblivion in 1, Safdarjang Road. We know what they did in 1967. In West Bengal, Mr Dharma Vira did a wonderful job of toppling. But we went back to the people in 1969 and as against 44 seats, got 88 seats. Again in 1971, there was a total of 135 seats and our Party alone if I remember correctly, had 117 seats. In spite of that the Leader of the Party was not called to form the Government. Therefore I would say, 'Doctor, heal thyself'. What did they do in Tamil Nadu I would like to know.

MR. SPEAKER Tamil Nadu can be taken up on some other day.

SHRI JYOTIRMOY BOSU Let us see how pious are they in their minds. Take the Anti Defection Bill, 1973. The Chairman of that Committee is sitting here. From 1973 to 1976, there have been seven extensions. If defection is in their favour, it is very good, but if it is against them then it is very bad. Mrs Indira Gandhi the erstwhile Prime Minister, thrown into the waste paper basket by the people

of this country, has said that it is very bad because in Kashmir, the Congressmen had defected to the Opposition. But when it happened elsewhere, defection to the Congress Party, it was very good. I want to find out from my friends in the Congress Party why they are frightened to face the people. It is because there are two things. Firstly, they know that the people would throw them into the Bay of Bengal or the Indian Ocean, and secondly, I know, it is certain that the money bags are not coming forward this time to help them.

Mr Dogra, the Congress leader in Jammu and Kashmir, came out saying that the decision 'is politically wrong'. I understand, it is politically inconvenient. It is not 'wrong', it is politically inconvenient. What did they do? Even local body elections, they were frightened to face. That is why they went and caught the feet of Sheikh Sahab and said, 'Please save us from this debacle, otherwise the whole country will be influenced by them'. So, even the local body elections had to be postponed. The fact of the case here is that the Congress Party started withdrawing the support when they came to know that Sheikh Sahab had decided to go to the polls to seek the people's mandate. I will quote from Mr K. K. Birla, a great friend of the Congress Party, from the Hindustan Times, dated the 26th March, 1977, it says

"According to reliable sources, the Congress Party decided to withdraw support to Sheikh Abdullah after coming to know that the Chief Minister was thinking of dissolving the Assembly and ordering fresh elections."

That was the fire alarm, and the moment it came, they tried to run away through the fire escape. That is simple. I know it very well. The whole trouble was there. To Mr Abdullah our friend, Syed Mir Qasim, who must be hearing us, always gave a good certificate. I am quoting from a

paper owned and controlled by the Congress Party, 'National Herald', February 25 1977 It says

"In a statement Mr Qasir assured Mr Sheikh Abdullah of full reciprocation. The understanding between the two parties was based on certain fundamental and shared ideals"

Suddenly Mr Abdullah when he refused to oblige them when he refused to become a stooge and when he refused to become their henchman—he is too big for the Congressmen to be swallowed—became a bad man and it is for the House to decide. There was no no-confidence motion against Sheikh Abdullah on the floor of the House. We do not go by the pep talks and the bazar gossip. Was there any no-confidence motion tabled on the floor of the House? It is because he decided to go to the polls immediately they thought that the fire was coming the plague was coming and we have to run away and quickly withdraw the support and topple it. But that did not work. Mr Abdullah is a seasoned politician and suffered long imprisonment at the hands of these people.

I say people's demand has been to do away with the Congress government and they wanted fresh polls. I would say the Kashmir University, the Regional Engineering College and even many many Youth Congress leaders had sought the dissolution of the present Assembly and seeking a fresh mandate from the people. Therefore under the circumstances these crocodile tears that they are saving democracy—we have seen enough of it and in the whole world we had a tarnished image in the last 20 months. So Sir, I oppose this adjournment motion which should be thrown into the waste paper basket.

श्री मुहम्मद शफी बुरेयी (अनंतनाग)

श्रीवर साहब, मुझे अपने साथिया की तकरीर सुनने के बाद इस बात का पूरा एहसास हो चुका है कि तकरीर तो बहुत अच्छी है, लेकिन

उन में न जान की और न मवाद थी। हमारे दाम्न मधु लिमये जी ने बड़ी अच्छी तकरीर शुरू की लेकिन वह चन्द उन बातों का जवाब नहीं दे पाये जो डाक्टर साहब ने अपने ओपनिंग रिमार्क्स में उठायी थी। सवाल यह नहीं है कि कश्मीर में क्या होगा, क्या नहीं होगा। सवाल यह है कि जो शेख साहब से हमने ऐंकाई किया था उस व पीछे कौन सा हमारा नजरिया था? कांग्रेस ने 1972 में सरकार बनायी और आज यह कहना कि वह इलेक्शन जीत नहीं थे यह इल्जाम तो तब भी लगा जब 1951 में शेख साहब ने इलेक्शन कराये थे। तब भी लोगो ने कहा कि इलेक्शन जीते नहीं थे। उस समय यह बात पाकिस्तान कहता था। उस के बाद जब भी चुनाव हुए पाकिस्तान और उस की लीकी हमेशा यह कहती आयी है कि कश्मीर में कोई भी चुनाव फायादाना नहीं हुआ है। मुझे प्रकृतोस इस बात का है कि इस ऐजान में भी आज इस किसम की बातें उठ रही हैं। हानाकि 1972 के चुनाव में जनसभ लड़ी और उन के दो मेम्बर जीते, बी० एल० डी० लड़ी और उनके भी दो मेम्बर जीते, जमायते इस्लाम लड़ी और उस के भी पांच मेम्बर जीते। क्या यह सब जनता की मर्जी के बिना पर हुआ?

अब शेख साहब ने यह देखा कि दुनिया के हालात बदल रहे हैं, बागला देश एक ऐसी मिसाल हमारे लिये कायम हो गई जिस ने यह साबित कर दिया कि मजहब के नाम पर कोई हुकूमत इकट्ठा नहीं रह सकती, कश्मीर के लोगो को इस बात की हमेशा यह विश्वास बिलाई गई क्यों कि पाकिस्तान में मुसलमानों की अक्सरियन है इसलिये कश्मीर के मुसलमानों का इल्हाक कश्मीर स्टेट का इल्हाक पाकिस्तान से होना चाहिए। उस वक्त हमने इस ध्यारी को रिजेक्ट किया कि नहीं यह नामुमकिन है, मजहब की बिना पर कोई रियासत किसी दूसरी रियासत से ऐंक्वीड नहीं कर सकती। बागलादेश ने इस हकीकत को बाजे कर दिया कि मुसलमान

[श्री मुहम्मद शफी कुरेशी]

होत हुए भी व. गलादेश गयूर बागदादशी घनय हो गये पाकिस्तान से और अपनी हुनूमत उन्होंने घनय कायम की। शेर साहब ने तबारीख से सबक सीखा है, किसी को पदम की जरूरत नहीं है।

तारीख ने उनको बताया कि जिम गये पर वह चल रहे हैं, वह रास्ता सही नहीं है। अब मवान शेर साहब ने खुद किया कि अगर आप मुझे हिन्दुस्तान की मिनिस्ट्री में लाना चाहते हैं तो मुझे वह साधन दिये जायें जिम में अजला की खिदमत कर। साधन नहीं जिस हुनूमत की उनका तलाश थी। वह हुनूम हम उनको दे भी सकते थे और नहीं भी दे सकते थे। सजिन चौम और देश ने हित में हमने मोबा कि कांग्रेस पार्टी का बहुत है, वहा पर हमारे 47 मेम्बर हैं, अगर शेर साहब मिनिस्ट्री में आते हैं और कांग्रेस को तानत छोड़नी पड़ती है तो छोड़ दे, क्योंकि यह हमारा उलूस रहा है कि व्यक्ति कोई चीज नहीं है, व्यक्ति से बचकर . . (व्यवधान)

अध्यक्ष महोदय, मैं यह कहता हूँ कि अगर कांग्रेस पार्टी का मुल्क, जमात और व्यक्ति ने दरम्यान किसी की चुन। पड़े तो कांग्रेस पार्टी सबसे पहले मुल्क का चुनेगी, जमात की परवाह नहीं करगी। यह हमन साबित कर दिया है जम्मू-काश्मीर में नेशनल कांग्रेस की प्रतैम्बली में अकमरियत थी लेकिन देश ने हित की खातिर हमन एक बड़ी बात की कि हम अपनी ताकत को छोड़ते हैं और शेर साहब का चीफ मिनिस्टर बनाते हैं। शेर साहब ने किये प्राबलम यह थी कि वे असेम्बली में मेम्बर नहीं थे। हमारे दो मेम्बरों ने इम्तीफे दिये और उनकी जगह पर शेर साहब और भफडलवेम साहब को मेम्बर बनाया। उस समय वजूहल कुछ ऐसा थे, हम चाहते थे कि किरफापरस्त तारत काश्मीर में सर न उठावें, लोगो को अच्छा एडमिनिस्ट्रेशन मिले। लोगों का मासूम था कि उनके नाम पर डेवलपमेंट होगा, लेकिन

हमने देखा कि तमाम चीजें मुमकिन नहीं हो रही हैं, तो कांग्रेस ने गाफ रह दिया कि कांग्रेस पार्टी सपोर्ट नहीं दे सकती। उसका लाबिम नतीजा यह निजलता था कि अगर उनकी जूरत सरकार बनाने की नहीं थी तो उनको चाहिये था कि कांग्रेस ने उनको तानत बखी थी, कांग्रेस की ही उन्हें तानत वापिस करनी चाहिये थी, बजाय इसके कि उन्होंने गवर्नर को खत लिखकर डिमिशन लूशन किया। प्राइम के हिमाव में उनकी कोई जगह नहीं है।

अब पार्लियामेंट ने जो इलैक्शन हुए, उसमें शेर साहब और हमारे दरम्यान यह सनझौता हुआ कि 3 सीटें वह लेंगे, और 3 सीटें हम लेंगे। कुल 6 सीटें वहां की हैं। शेर साहब ने एक सीट हारी, कांग्रेस ने दोनो की दाना जीती। इसका मतलब यह है कि जम्मू-काश्मीर में कांग्रेस जिन्दा जमात है और शेर साहब कुछ नहीं है। आप ही की जमात उनको हराकर भाई है।

अध्यक्ष महोदय, मैंने बार्ड ऐसी बात नहीं कही जो कि सालेन्डी नहीं गई हो। मैं वहा पर रैपेडीशन नहीं करना चाहता। साफ तौर पर यह बात कहना चाहता हूँ कि उस तरफ के एक व्यक्ति ने शेर साहब के बंडोबेस्ट का वहा पर हराया है। कांग्रेस ने दोनो की दोनो सीटें जीती हैं। मुझे उमीद है कि लहाब की एक सीट बाकी है, उस पर भी कांग्रेस यमिग मैनोरिटि से जीतेगी।

सवाल इस बात का है कि जब यह कहा जाता है कि नाउसिल आफ मिनिस्टर्स, इसमें बयान कर दिया है कि —

"There shall be a Council of Ministers with the Chief Minister as the Head to aid and advise the Governor in exercise of the functions. All functions of the Governor except these in Sections 36, 38, 92 shall be exercised by him on y on the advice of the Council of Ministers"

जैसा मण जो न श्री हमारे साथे थो स्टोपेन ने कहा कि वाकी जगह। पर प्राइम मिनिस्टर को राइट है, अगर व मैजोरिटी बनेम करा हो ता। डिप्लूशन की एडवाइड कर सकता है। लेकिन जम्मू काश्मीर के आईन म यह बात माफ है कि एडवाइड हानी चाहिये वाउसिल आफ मिनिस्टर्स को। रास्टाटपूशन के जिस दफा के तहत गवर्नर ने यह स्टेट किया है उसम यह प्रावाइड है —

If at any time the Governor is satisfied

उसकी सैटिस्फैक्शन होने चाहिये, सबशेक्ट टू सैटिस्फैक्शन। उसकी सैटिस्फैक्शन तभी होगी जब कि उस एडवाइड दगी वाउसिल आफ मिनिस्टर्स।

Here is the proclamation issued by the Governor. It does not contain even a single sentence indicating whether he did it at the advice of the Council of Ministers?

'Whereas I L K Jha,

(एल० के० जे० से 'सहाय जमीर और मू० व बन सकता है)

Governor of the State of Jammu and Kashmir, am satisfied that a situation has arisen in which the Government of the State cannot be carried on in accordance with the provisions of the Constitution of Jammu and Kashmir (hereinafter referred to as 'The State Constitution')

Now, therefore, "

It has not mentioned a single word about the advice he got from the Council of Ministers

काश्मीर में अनसरटेन्टी और बेइतमीनानी को खत्म कर दिया गया था। जनता सरकार की पहली देन यह है कि उस ने काश्मीर में फिर वही हालत पैदा कर दिए हैं। इलैक्शन के सिलसिले से मैंने जगह-जगह तकरीरों में कहा था कि जब यह सरकार ताकत में आएगी तो उस के

हाथों में काश्मीरियों की रीत, अस्मत् और इज्जत महफूज नहीं रहे सबेगी। सामने के माननीय सदस्य इस को पार्टी का मतवा बना कर भाग से खेल रहे हैं। यह एक नेशनल प्राब्लम है, एक कौमी मतला है।

इस सरकार ने काश्मीर के लोगो के विश्वास पर एक कारी जरब लगाई है, उसने डेमोक्रेसी का कत्ल किया है और यह साबित कर दिया है कि वह काश्मीर के लोगो की धैर्यवाह नहीं है। (व्यवधान) अगर कोई शक यह नहै कि शेष अष्टुल्ला काश्मीर के बाहिद लीडर हैं, ता मैं कहना चाहता हू कि अखबारों में ये खबरे आ रही हैं—आज तो अखबारों पर सेन्सर नहीं है—कि तमाम वादी में शेष अष्टुल्ला के खिलाफ डिमास्ट्रेशन हो रहे हैं। जिस तरीके से उन्होंने अपनी बीबी और एक दूसरे साथी का इस्तेमाल कराया है, उस से डेमोक्रेसी की गर्दन शर्म से झुक जाती है। आपोजीशन के कंडीडेट व, बोलने का मौका नहीं दिया गया, उस की जीप जला दी गई सिपा-मुन्नी पसंद कराया गया और किरापरस्ती को हवा दी गई। हम ये बातें नहीं कहना चाहते थे, लेकिन इस सरकार ने एक ऐसा दरवाजा खोल दिया है कि हम ये बातें कहने के लिए मजबूर हैं।

इस मुल्क की कोई भी स्टेट जब प्रीजिडेंट्स वर के मातहत आ जाती है, तो उस में ट पार्लियामेंट में डिमन्स होता है। यह इस मुल्क का सब से बड़ा ऐवान है, लेकिन जम्मू काश्मीर का बजट यहां नहीं आ सकता है, और एक सरकारी अफसर बैठ कर हमारी डिमन्स का फंसना करेगा। माननीय सदस्य मोर्चे कि वे किस तरफ जा रहे हैं। वे यह न समझ लें कि काश्मीर की सरकार अपसम्भाही था

[شی محمد نواز خان]

تاناٹا ہی کے ذریعے پتہ چلا جا سکتی ہے۔
اس سلسلہ میں مایوس کے حوالے سے پتہ چلا
رہا ہے اور ان کے جہازات کو جہاز
رہا ہے۔ ان کی ساری شہریت اُن کے
میر پر ہے۔

[شی محمد شاہی کپڑو : سید]

صاحب! مجھے آپ سنا رہے ہیں
تقریریں سننے کے بعد اس بات کا پورا
امداد تو ہو گیا ہے کہ تقریریں ہو بہت
اچھی ہوں۔ لیکن ان میں 'ا' جان
تھی اور نا سوان تھا۔ ہمارے دوست
مدد و نفع جی نے اسی اچھی تقریر
شروع کی لیکن وہ ان چند باتوں کا
جواب نہیں دے سکے جو ڈاکٹر صاحب
نے آپ اربلاک تہمتیں میں اتھاری
تھیں۔ سوال یہ نہیں ہے کہ کشمیر
میں کیا ہوا۔ کیا نہیں ہوا۔ سوال
یہ ہے کہ جو شہر صاحب سے ہم نے
انکسرت کیا تھا۔ اس کے پتہ کو آج
ہمارا نظریہ تھا۔ کانگریس نے ۱۹۷۲
میں سرکار ہائی۔ اور آج یہ کہنا کہ
وہ انکسرت ہوتے نہیں تھے۔ یہ الزام
تو تب ہی لگا جب ۱۹۵۲ میں
شہر صاحب نے انکسرت کرائے تھے۔
تب ہی لوگوں نے کہا کہ انکسرت
ہوتے نہیں تھے۔ اس وقت یہ بات
پاکستان کہتا تھا۔ اس کے بعد جب
ہی چلاؤ ہوئے پاکستان اور اس کی
لومی ہمیشہ ہی کہتی رہی کہ
کشمیر میں کوئی بھی چلاؤ آزادانہ

نہیں ہوا ہے۔ مجھے ایسے اس بات کا
ہے کہ اس بات میں بھی آج اس قسم
کی باتیں آتے رہی ہوں۔ حالانکہ
۱۹۵۲ کے چلاؤ میں جن ملکوں کو
اور ان کے دو امڈوار چمکے۔ ہی۔ ہل۔ کی۔
اور اور ان کے ہی دو امڈوار چمکے۔
جماعت اسلام کو اور اس کے ہی
پتہ امڈوار چمکے۔ کہا یہ سب چلا
کی مرضی کے بغیر وہی ہو ہوا۔

جب شہر صاحب نے یہ دیکھا۔
کہ دنیا کے حالات بدل رہے ہوں۔
بلکہ دیکھ کر ایک ایسی مثال ہمارے
لئے قائم ہو گئی جس نے یہ ثابت
کر دیا کہ مذہب کے نام پر کوئی
حکومت اٹھانے نہیں رہ سکتی۔ کشمیر
کے لوگوں کو اسے ہمارے ہی ہمیشہ یہ
فرا کہانی گئی کہونکہ پاکستان میں
مسلمانوں کی اکثریت ہے اس لئے
کشمیر کے مسلمانوں کا الحاق کشمیر
میں الحاق پاکستان سے ہونا چاہئے
اس وقت ہم نے اس نوہری کو
دیکھتے کیا۔ کہ نہیں یہ نامک
ہے۔ مذہب کے ہل پر کوئی سیاست
کسی دور کی سیاست سے ہمہ وقت نہیں
کہ سکتی۔ بلکہ آج ہم نے اس
حقیقت کو رازہ کر دیا۔ کہ مسلمان
ہوتے ہوئے ہی بلکہ دیکھ کر الگ ہو
گیا پاکستان سے اور اپنی حکومت
انہوں نے الگ قائم کی۔ شہر صاحب
نے تاریخ سے سبق لیا ہے۔ کسی
کو پوچھنے کی ضرورت نہیں ہے۔ تاریخ

نے ان کو بتایا کہ جس راستے پر وہ چل رہے ہیں وہ راستہ صحیح نہیں ہے۔ اب سوال شیخ صاحب نے خود کہا۔ کہ اگر آپ مجھے ہلدوستان کی منسٹری میں لانا چاہتے ہیں۔ تو مجھے وہ سادھن دئے جائیں جس سے میں چلتا کی خدمت کروں۔ سادھن وہی جس حکومت کی ان کو تلاش تھی۔ وہ حکومت ہم ان کو دے ہی سکتے تھے۔ اور انہوں نے ہی دے سکتے تھے۔ لیکن قوم اور دیہے کے ہمت میں ہم نے سوچا۔ کہ کانگریس پارٹی کا بہرہست ہے۔ وہاں پر ہمارے ۲۷ ممبر ہیں۔ اگر شیخ صاحب منسٹری میں آئے تو اس کا کو طاقت ہوونی ہے۔ تو چوروں نے دے دیں کہ وہ ہمارا اصول دھما ہے کہ دیہتی کوئی چوروں نہیں ہے۔ دیہتی سے بڑھ کر۔۔۔

انہیں ہکشن سپورٹ میں یہ کہتا ہوں کہ اگر کانگریس پارٹی کو ملک حاصلت اور دیہتی کے دوسرے کسی کو چلتا ہے تو کانگریس پارٹی اوشیہ پہلے ملک کو چلے گی۔ جدت کی پرواہ نہیں کریگی۔ یہ ہم نے ثابت کر دیا ہے۔ جس میں کشمیر میں نیشنل کانگریس کو اسمبلی میں نااکثریت تھی لیکن دیہے کے ہمت کی خاطر ہم نے بڑی بات لیک کر۔ کہ ہم اپنی

طاقت کو چھوڑتے ہیں۔ - اور شیخ صاحب کو چھوٹ منسٹر بناتے ہیں شیخ صاحب کے لئے پروگرام یہ تھی کہ وہ اسمبلی کے ممبر نہیں تھے۔ ہمارے دو ممبروں نے استعفائے دیئے اور ان کی جگہ پر شیخ صاحب اور افضل بیگ صاحب کو ممبر مقرر کیا۔ اس سے رجوعیات کچھ ایسے تھے۔ ہم جانتے تھے کہ فرقہ پرست طاقتیں کشمیر میں سر نہ اٹھائیں۔ لوگوں کو اچھا ایمپرسیشن ملے۔ لوگوں کو معلوم تھا کہ اب ان کے نام پر قبولیت ہوگا۔ لیکن ہم نے دیکھا کہ تمام چیزیں ممکن نہیں ہو رہی ہیں۔ تو کانگریس نے صاف کہہ دیا کہ کانگریس پارٹی سپورٹ نہیں دے سکتی۔ اس کا لازم نتیجہ یہ نکلا تھا کہ اگر ان کی ضرورت سرکار چلائے گی نہیں تھی تو ان کو چاہئے تھا کہ کانگریس نے ان کو طاقت بخشی تھی۔ کانگریس کو ہی انہیں طاقت واپس کرنی چاہئے تھی۔ پھر اس کے کہ انہوں نے گورنر کو خط لکھ کر قبولیت کی۔ انہوں نے حساب سے اس کی کوئی جگہ نہیں ہے۔

اب پارلیمنٹ کے جو الیکشن ہوئے اس میں شیخ صاحب اور ہمارے دوسرے یہ سمجھو نہ ہوا کہ توں دیہتیں وہ اوپر لگے اور توں سچے ہم لڑیں گے۔ کل چھ سو تین وہاں کی ہیں۔ شیخ صاحب نے ایک سو

[شری محمد شفیع درپیشی]

لڑی - کانگریس نے دوں کی دوں
 حقیقتیں - اس کا مطلب یہ ہے کہ
 جموں کشمیر میں کانگریس
 جماعت ہے - وزیر شہج صاحب
 ۲۶ ہیں - آپ کی حمایت
 لی گو عرا کو انی ہے -

ادیشن میں نے کوئی ایسی
 بات نہیں کہی جو کہ اکثر
 گئی ہو - میں یہاں دو رہنمائی
 نہیں کرنا چاہتا - صرف طور پر یہ
 بات کہنا چاہتا ہوں کہ اس طرح
 کے ایک ویکٹیو نے شوخ صاحب کے
 کہتے ہوئے کو وہاں پر ہوا ہے -
 کانگریس نے دونوں کی دونوں
 چھ ہیں - متحدہ امید ہے کہ
 نواح کی ایک سہت حالی ہے اس
 کانگریس ٹیبلنگ میں رہے -
 حتمہ کی

حوال اس بات کا ہے کہ جب یہ
 کہا جاتا ہے کہ کونسل اب
 اس میں نہیں کر رہا ہے کہ

There shall be a Council of Ministers with the Chief Minister as the Head to aid and advise the Governor in exercise of the functions All functions of the Governor except these in Sect on 36 38 92 shall be exercised by him only on the advice of the Council of Ministers

جسٹس مدعو کی نے اور
 ساری سچیں کی نے کہا کہ ہائی
 حکمرانوں کو تمام مسائل کو
 ایک ہی - وزیر شہج کلیم
 وزیر کانگریس کی امیدوں کو
 - لیکن جموں کشمیر کے

میں یہ بات صاف ہے کہ
 ہوی - کانگریس کو کونسل
 کی - کانگریس کے جس دفعہ
 کہ جب کو دے رہا ہے کہ
 اس میں یہ وزیر شہج ہے -

If at any time the Governor is satisfied

اس کی - کانگریس ہوی
 - کانگریس کو کونسل
 کو کونسل میں ہوی
 امیدوں کے کہ
 -

Here is the proclamation issued by the Governor It does not contain even a single sentence indicating whether he did it at the advice of the Council of Ministers

Whereas I L K Jha Governor of the State of Jammu and Kashmir is satisfied that a situation has arisen in which the Government of the State cannot be carried on in accordance with the provisions of the Constitution of Jammu and Kashmir (hereinafter referred to as the State Constitution)

Now therefore

It has not mentioned a single word about the advice he got from the Council of Ministers

کشمیر میں اسٹیبلشمنٹ اور
 کو حتم کر دیا گیا ہے -
 کو ہائی میں یہ ہے کہ اس نے
 میں ہوی حالات دودا کو
 میں - الیکشن کے سلسلے میں
 حکم دیکھ کر ہوی میں
 یہ سرکار طلب میں
 اس کے

ہاتھوں میں کشمیریوں کی غیبت و عورت اور قسمت محفوظ نہیں کسمبکی - سامنے کے سائے - دسیہ اس کو پارتی کا مسئلہ بنا کر آگ سے کھیل رہے ہیں - یہ ایک نمائندگی پرور ہے - ایک قومی مسئلہ ہے -

اس - درکار نے کشمیر کے لوگوں کے شواہش پر ایک گولری چوت لٹائی ہے - اس نے قہر کوہی کا قتل کیا ہے - اور یہ ثابت کر دیا ہے کہ وہ کشمیر کے لوگوں کی خیر خواہ نہیں ہے - اگر کوئی شخص یہ کہے کہ شہج عودلہ کشمیر کے واحد لیڈر ہیں تو میں کہتا ہوں کہ انہوں نے انہوں میں یہ خبریں آ رہی ہیں - آج تو انہوں پر دھماکا ہوا ہے - کہ تمام وادی میں شہج صاحب نے خوف قبضہ استیشن ہو رہا ہے - جس طریقے سے انہوں نے اپنی بددیوبہی اور ایک دوڑے ساری ک انتہا کر دیا ہے - اس سے قہر کوہی کی گولری شرم سے جھک جاتی ہے - اپوزیشن نے کپٹین کیمت کو ہولناکی کا واقعہ نہیں دیا کیا - اس کی حسب حال دی گئی - شہج سلی اسان کر دیا گیا - اور فرقہ پوختی کو ہوا دی گئی - ہم یہ باتیں نہیں کہنا چاہتے تھے - لیکن اس سوکار نے ایک ایسا دورا کر دیا ہے کہ ہم یہ باتیں کہنے کے لئے سنبھل رہے ہیں -

اس ملک کی کوئی بھی حکومت جب پریذیڈنٹ رول کے ماتحت آجاتی ہے تو اس کا بحث پارلیمنٹ میں ممکن ہوتا ہے - یہ اس ملک کا سب سے بڑا الزام ہے - لیکن ہمیں کشمیر کا بحث یہاں نہیں آ سکتا ہے - اور ایک سوکاری اسد ایٹھ کو ہماری قسمت کا فیصلہ کرینا - مانگتے دسیہ سوچوں کہ وہ کس طرف جا رہے ہیں - وہ یہ نہ سمجھ لیں کہ کشمیر کی سوکار اسر شاعری یا نا شاعری کے ذریعے چلائی جا سکتی ہے اس سوکار نے لوگوں کے کے حقوق کو پامال کیا ہے - اور ان کے خوات کو زخمی کیا ہے - اس کی ساری دماغی اس کے سر پر ہے -

विदेश मंत्री (श्री अटल बिहारी वाजपेयी) : अध्यक्ष महोदय, घड़ी की सुई घूरा घूम गई है। बात के यह है कि 25 जून, 1975 से पहले जो दंग सदन में बाम-रोकी प्रस्ताव पेश किए जाने का विरोध करते थे, आज वे बाम-रोकी प्रस्ताव पेश करने की स्थिति में आ गए, और जो पेश किया जाने थे आज वे उन बाम-रोकी प्रस्तावों का सामनापूर्वक उत्तर देने में समर्थ हो गए हैं।

जब हा० बर्ग मित्र भाषण कर रहे थे, तो मुझे महाभारत के वर्ण की याद आई। युद्ध में जब वर्ण का रथ धरणी में घम गया, और उगे वाणों ने बिंद किया जाने लगा तो उगे धर्म का स्मरण हुआ। वर्ण ने कहा कि निहत्थे दंग प्रहार करना

[श्री अटल बिहारी वाजपेयी]

न्यायसंगत नहीं है। अर्जुन पाड़ी देर के लिए असमजस में पड़े। लेकिन सारथी के स्थान पर विराजमान भगवान् कृष्ण न कहा—वर्ण के मुह से धर्म का उल्लेख शामा नहीं देना। धर्म कहा था जब छल कपट से पाण्डवों को छूत में परास्त कर उन का राज्य ले लिया गया? धर्म कहा था जब भारी सभा में द्रोपदी को निवसन किया गया? धर्म कहा था जब लाक्षा गृह में पाण्डवा को जीवित जलाने की चेष्टा की गई। मैं डा० जगन् सिंह से पूछना चाहता हूँ—जिस लोकतंत्र की वे दुहाई दे रहे हैं वह लोकतंत्र कहा था जब तामिलनाडु की विधान सभा में डी एम के का स्पष्ट बहुमत होने हुए केन्द्र में बैठी हुई कांग्रेस सत्ता ने चुनी हुई सरकार को भग कर दिया, लोक तंत्र की ताक पर रख दिया। सविधान की रही की टोकरी में कैक दिया?

AN HON MEMBER Do you want to do the same thing?

श्री अटल बिहारी वाजपेयी : मैं उस पर भी आ रहा हूँ। इस विवाद में उल्लेख किया गया

SHRI K MAYATHEVAR (Dindigul)
Sir I rise on a point of order. The hon Minister of External Affairs here referred to the Tamilnadu Government. I say that that was dismissed by the then Governor because of corruption charges.

MR. SPEAKER There is no point of order. Will you please sit down?

श्री अटल बिहारी वाजपेयी : मैं तमिलनाडु का छोड़ देता हूँ। मैं उड़ीसा की बात करता हूँ। वीमे धरम काश्मीर की कर्षा हो ता कन्याकुमारी का स्मरण

आए मिना नहीं रह सकता। आशिर दोना भारत के भाग है। उड़ीसा में क्या हुआ था? 1973 में उड़ीसा में मेरे मित्र श्री बीजू पटनायक के नेतृत्व में विधान सभा में उन्हें बहुमत प्राप्त हो गया। उस बहुमत का राज्यपाल के सामने प्रदर्शन किया गया था, सज्जा गिन कर के किया गया था। लेकिन केन्द्र के निर्देश पर राज्यपाल ने कहा कि बहुमत को मरकार बनाने का मौका नहीं दिया जाएगा। क्या सरकार टिकेगी नहीं। स्वायत्त के आधार पर अपने विवेक से राज्यपाल ने उड़ीसा में निर्णय लिया। क्या जम्मू काश्मीर के राज्यपाल अपने विवेक के आधार पर निर्णय नहीं ले सकते? क्या अलग अलग मानदण्ड होंगे।

एक माननीय सदस्य : उमी के खिलाफ तो आप लागू बोन रहे थे?

श्री अटल बिहारी वाजपेयी : मैं उस मुद्दे पर भी आ रहा हूँ।

मध्यम महोदय, जम्मू काश्मीर का पृथक सविधान है। इस सविधान के अनुसार अगर राज्यपाल सन्तुष्ट हैं कि सरकार सविधान की धाराओं के अनुसार नहीं चल सकती। तो वे विधान सभा को भंग कर सकते हैं। मैं एक बात स्पष्ट करना चाहता हूँ कि जम्मू काश्मीर में राष्ट्रपति का राज लागू नहीं किया गया है। राज्यपाल का राज लागू किया गया है। यह सविधान उन्होंने बनाया है जो आज इस सविधान को अपने लिए अडचन का विषय बन रहे हैं। मेरी या मा तो स्पष्ट है। हम तो प्रतिपक्ष में बैठ कर यह भाग करते थे कि जम्मू काश्मीर का पृथक सविधान नहीं होना चाहिए। भारत का सविधान पूरी तरह से जम्मू काश्मीर पर लागू करना चाहिए। इसे पृथक सविधान के अनुसार के सारी बातें जम्मू काश्मीर पर लागू नहीं होती हैं जो अन्य प्रदेशों पर लागू होती हैं। क्या हमारा कायम के मित्र

अब काश्मीर की विशेष स्थिति को भूलना चाहता है ?

अध्यक्ष महोदय, 3 मार्च, 1975 को जब इस सदन में शेख साहब का साथ हुए सम्झौते की चर्चा हुई थी तो तत्कालीन प्रधान मंत्री ने क्या कहा था, उसका थोड़ा सा मैं उल्लेख करना चाहता हूँ —

"This new political understanding is worthy of a person of Shaikh Abdullah's long record of service to the people and our cherished values. About 40 years ago Shaikh Abdullah became the foremost leader of the Kashmir people's fight against feudalism and he made his struggle a part of the larger national struggle for freedom and secularism."

और भी उम्मान शेख साहब की बहुत तारीफ की थी। उस समय किसी को यह ध्यान नहीं रहा कि शेख अब्दुल्ला का साथ कितने व्यक्तियों हैं। तब शेख अब्दुल्ला का व्यक्तित्व सारे जम्मू काश्मीर पर छाया हुआ था। जब शेख अब्दुल्ला कांग्रेस पार्टी के लिये अनुकूल थे तो वे बड़े थे, तब उनका कद ऊँचा था, तब वे सब को भाव लेकर चलने का दायित्व निर्वहण कर सकते थे। जब कांग्रेस पार्टी ने देखा कि शेख अब्दुल्ला उनके इशारे पर चलने के लिये तैयार नहीं हैं तो जम्मू काश्मीर के स्वायत्तत्व को खतरे में डालकर शेख अब्दुल्ला का प्रति अविश्वास प्रकट करने की गलती की गई।

मैं पूछना चाहता हूँ कि जब देश में चुनाव हो रहे थे, नई सरकार बनने वाली थी, जब देश सत्रमण काल से गुजर रहा था शेख अब्दुल्ला पर से विश्वास बर्पित करने का निर्णय क्या हुआ ? इसने पीछे भी एक चाल है। शेख अब्दुल्ला के साथ विश्वासघात किया गया, वह बात छलम है लेकिन जनता के समर्थन से जो नई सरकार बनी है उसने मार्ग में रुकावटें पैदा करने के लिये कश्मीर में गडबडी की स्थिति उत्पन्न करने

की कोशिश की जा रही है। शेख अब्दुल्ला पर अगर विश्वास इतने दिन या तो क्या वह विश्वास कुछ और दिन नहीं रह सकता था ?
(व्यवधान)

जम्मू काश्मीर के सविधान में विशेष स्थिति है उसका मैं उल्लेख नहीं करना चाहता लेकिन आप स्वीकार करेंगे कि जम्मू काश्मीर के एक तिहाई भाग पर पाकिस्तान का कब्जा है और जम्मू काश्मीर में अभी तक सयुक्त राष्ट्र संधि का पर्यावेक्षक मौजूद है। सभी इस बात को स्वीकार करेंगे कि जम्मू काश्मीर का प्रश्न दलगत आधार पर नहीं देखा जाना चाहिये। यह एक राष्ट्रीय प्रश्न है। मैं पूछना चाहता हूँ कि जब नयी सरकार आती उस सरकार के नेताओं से परामर्श करके जम्मू काश्मीर के बारे में कोई फैसला किया जाता तो क्या आसमान टूट जाता ? अगर इतना धैर्य नहीं दिखाया गया। चुनाव में परास्त हो गए तो एक कुचक्र शुरू कर दिया। एक ऐसी स्थिति पैदा कर दी गई है जो सारे देश को कठिनाई में डाल सकती है। मैं कांग्रेस पार्टी का प्रमुख नेताओं से अपील करना चाहता हूँ, परमात्मा के लिए, आप तो हममें अनुभवी हैं, आप तो हमसे अधिक असम्प्रदायवादी होने का दावा करते हैं, आप तो इसमें अधिक राष्ट्रवादी होने पर बल देते हैं, आप जम्मू काश्मीर में कोई ऐसा काम मत करिये जो हमारे लिये सिरदर्द बन जाये। वह सिरदर्द केवल सरकार के सिर्फ पर नहीं होगा, वह सारे देश का सिरदर्द होगा और अल्लाह का भी। कांग्रेस पार्टी की आप नहीं करोगी।

अध्यक्ष महोदय, स्थिति को सुलझाने का एक यही तरीका है कि चुनाव करा दिये जायें। जम्मू काश्मीर की जनता स्वतंत्र और निष्पक्ष चुनाव में अपना अभिमत प्रकट करे। चुनाव जल्दी से जल्दी कराये जायें, इस बात का प्रबंध होना चाहिये कि जनता के पास जाने में आपकी सकोच क्यों ? आज कुरेसी साहब कहते हैं कि कोई एक व्यक्ति बड़ा

[श्री अटल बिहारी वाजपेयी]

नहीं है। सचमुच मैं जनता : निर्णय के बाद अब कोई भी व्यक्ति बड़ा नहीं रहा। अब दो दिन निकल गए। (ध्वजध्वनि) हमने कभी व्यक्ति पूजा नहीं की और न व्यक्ति पूजा करेंगे। हम। कभी एक व्यक्ति को भारत का प्रतिरूप नहीं माना और न ही मानेंगे। जम्मू कश्मीर सवाल पर जो स्थगन प्रस्ताव आपने पेश किया है वह ठीक किया है लेकिन जिस भावना में हमारे नेता ने उसका स्वीकार किया है उसकी आप कद कोजिए। व्यक्ति स्थगन प्रस्ताव बाद, मैं चाहता हूँ कि कांग्रेस पार्टी के नेता और हमारे वरिष्ठ नेता मिल कर बैठें और जम्मू-कश्मीर में कोई ऐसी परिस्थिति पैदा होने में राकें, जिस से कि प्रन्तर्राष्ट्रीय स्तर पर नाम उठा सकें। ये झगड़े घर के झगड़े हैं, ये परस्पर के मतभेद हैं, मगर सत्ता की होट में कोई ऐसा काम नहीं होना चाहिये जो कश्मीर वाले में एक घटियापन की स्थिति पैदा कर दे। मुझे विश्वास है कि कांग्रेस ने मित्रों में कुछ देश के लिये सलाह की भावना जागृत होगी।

श्री मुहम्मद शफी हुसैनी (गान्धिनगर)

यह आप को पता है कहना चाहिये या— हमने पहले कि प्राइम मिनिस्टर गवर्नर को एडवाइस करतीं, मगर हम में राय की जाती तो ज्यादा अच्छा था।

श्री अटल बिहारी वाजपेयी : मगर हमारे कांग्रेसी मित्र शेख अब्दुल्ला में अपना विश्वास वापस लेने में पहले हमें परामर्श कर लेते, तो यह स्थिति पैदा हो नहीं होती। खर जो हा गया, चाहा गया मैं उसमें नहीं जाना चाहता लेकिन भविष्य के बारे में मैं कहना चाहता हूँ—कि मिल कर कश्मीर के बारे में नीति का निर्धारण हो। इस दिशा में हमारी सरकार प्रयत्न करेगी, लेकिन कांग्रेस पार्टी चुनाव की पराजय के बाद कहा तक उची उठती है— हमें यह देखना है।

भाषण समाप्त करने से पहले, मैं एक बात कहना चाहता हूँ—जब मैं प्रतिपदा में था तब मैं मांग किया करता था कि धारा 370 समाप्त होनी चाहिये, लेकिन उस समय हम पर टीका-टिप्पणी की जाती थी कि हम जम्मू का मीर की जनता की भावनाओं का धार नहीं करना चाहते। आज वही धारा 370। अन्तर्गत बना हुआ मविधान का मीर में राज्यपाल का राज्य लागू करने का कारण बना है। लेकिन एक बात मैं स्पष्ट कर देना चाहता हूँ कि नई सरकार धारा 370 में कोई एक-तरफा परिवर्तन नहीं करेगी, जम्मू, कश्मीर की जनता के विचारों को ध्यान में रखकर निर्णय किया जाएगा।

SHRI VASANT SATHE (Akola)

Sir at the outset I would like to reciprocate the sentiments expressed by Shri Madhu Limaye when he said that now in this country we must turn a new leaf in democratic system and parliamentary system if democracy is to be consolidated in this country. It is a good augury that a new party has emerged as an alternative party which can take the reins of Government and which is so very essential for democracy in a country and therefore we would be very happy if this Government under the new Party, the Janata Party, consolidates and gives a stable government to this country and all our leaders have assured that we on our part would like to do nothing to disturb the working of this government. Therefore, Sir, I expected that the Government of the Janata Party under the leadership of Morarjibhai would maintain the tradition of which you just now quoted Ram Manohar Lohia and the first thing Morarjibhai himself at the press conference had said was that he would do nothing and his government would do nothing to topple the State legislatures when a direct question was asked. He said "If they do it on their own, what can I do?" That was perfectly fair. But the apprehension in our mind—I must

be very clear let us discuss it as friends—is this The election to the office of the President has to be held before August that is within six months of the vacancy arising You are also aware that in most of the States in this country the Congress has a majority In the Rajya Sabha also we have the majority It has been publicly stated that they have advised the Governors to dissolve all the State Assemblies and hold immediate elections before the presidential election is held When Morarjibhai stated at his first press conference that his Government would do nothing to disturb or play the role of destabilisers to unseat the State Governments and legislatures we believed him But even before the breath was out of it we were taken aback by this action of the Government of India

I am not going into the question of the role of the Governor because in terms of art 92 of the Constitution of Jammu and Kashmir to which Shri Atol Bihari Vajpayee referred there is this provision in sub-section (5)

No proclamation under sub-section (1) shall be issued except with the concurrence of the President of India"

This is not referred to in other sections

The Proclamation says

Now therefore in exercise of the powers conferred under sec 92 of the State Constitution and all other powers in that behalf and with the concurrence of the President of India I hereby

If this is with the concurrence of the President obviously it is with the consent of the Council of Ministers, that is the Prime Minister under our Constitution as it was before and as it is now There is no difference in that

Therefore I would beg of you to clarify this We honestly believed you when you said that you were determined to lay down and stand by certain excellent democratic practices and you would do nothing to unseat the State legislatures unless they toppled themselves—which is a different matter I would like to ask you this—did the Governor approach you? If so what was his report? Did he tell you that the majority party cannot run the Government? On what basis did you give your concurrence? Under what circumstances did you agree to have the State Assembly dissolved? Of course you can say We will go to the polls at the earliest I do not want to go into the question whether the poll that was held there all these years from 1950 onwards till 1969 when you were yourself in a high position in the Government in Nehru's time was throughout rigged

MR SPFAKER It will help if he addresses me I am not a party to either this or that

SHRI VASANT SATHE We always address you When I say 'you' it is addressed through you

Therefore I would beg of the Prime Minister to explain under what circumstances this was done There is a saying in Marathi

इहावारी भेयाचे दुःख नाही राजवाकावरी

It is no matter of sorrow that an old lady is dead the danger is of death getting habituated We are not worried about what my friends from Kashmir are telling me, they are any day willing to go to the people there is no question of having any apprehensions on account of that But this thing can be extended to the rest of the country You can say hereafter you do not need to ascertain whether there is majority behind the government or not all that you have to do in a state hereafter is to get the

[Shri Vasant Sathe]

Governor tell you that he recommends that it should be dissolved. What is your policy? If you give such a rude shock it will shake our faith in your word of having democratic functioning in the states. How can we have confidence in you? Even in the beginning this has happened. As the saying goes

प्रमदाय न शिरापात

A fly in the very first mouthful. How can you infuse confidence in us. We want to cooperate with you.

18 56 hrs

[Smt D N Tiwari in the Chair]

Here 356 was available to you you did not resort to 356. Then there is article 92. Do you know what the Governor says? On page 2 he says

In exercise of the powers of the legislature to make laws under or by virtue of this Proclamation I shall prepare such Bills as I deem necessary and declare as respects any Bill so prepared the assent thereof.

What kind of democracy is this? Under 356 you have in terms protection and it says that it is this Parliament. The representatives of the people of Jammu and Kashmir are here to safeguard their interests both here and in the Rajya Sabha. 356(b) says that the powers of the legislature of the State shall be exercisable by or under the authority of Parliament. Would it not have been better to have the Budget passed in this Parliament? Or is it better and more democratic to let the Governor say I prepare the Bill and I also give assent to it. What kind of democratic norms are being followed. I want to say this to the Prime Minister. We have faith in his word. We know that he wants

to stabilise. That cannot be done unless there is co-operation both sides. A new

stage has emerged in the country. And if right in the beginning you start shaking our faith it does not augur well. What do you really mean when you say that you have faith in democracy? How can we have faith in you? Therefore I submit that the entire action of this government the very first act in giving concurrence through the President to such an act of the Government was most undemocratic and unconstitutional and contrary to all the excellent democratic norms that exist and also your proclamations. Therefore we feel shocked.

THE PRIME MINISTER (SHRI MORARJI DESAI) He was referring to me. May I refer my hon friend to the Leader of the Opposition and Dr Karan Singh to whom I have said that I had no other option left in this matter and I have explained to them the facts and I believe they are satisfied. I do not want to speak further because the Home Minister deals with the problem and he will say whatever he has to say.

19 00 hrs

SHRI SHYAMNANDAN MISHRA (Bhusarai) Mr Chairman Sir we find ourselves confronted with a peculiar predicament and the predicament is that while we try to agree with them they do not seem to agree with themselves. That is a peculiar situation which this House faces at the moment. This would be clear from my recital of the facts that have been obtaining in the State of Jammu and Kashmir. But let me state in the very beginning that there is no difficulty so far as agreeing with the general proposition that the party which commands decisive majority in a State must be asked to form the Government is concerned. Generally I would emphasise that if we depart from this principle that would be the end of democracy. And that is precisely what our Election manifesto

says in its political chapter I would like to quote it here

'Move to amend Article 356 to ensure that the power to impose President's rule in the State is not misused to benefit the ruling party or any favoured faction within it'

And I must state with all emphasis at my command that our party would adhere to it so far as the general proposition is concerned, in all areas except the one in which following their illustrious lead we want to go in a special way. This is precisely my contention. They want this area to be treated in a special way. Not only they but the entire country wanted that this area should be handled in a special way. They had also asked us to treat this area as a sensitive area. I would certainly like to agree with them wholeheartedly. But what exactly does it mean? The sensitivity of that area means that there should be a special sensitivity on our part to deal with it, and that requires that some special features of the situation in Jammu and Kashmir must be taken into account. In fact Mr Chairman, you will kindly recall that they had evolved a new arithmetic in the State of Jammu and Kashmir. They had asked the country and the whole world to believe that 45 was equivalent to 1 and 1 was more than 45. That is precisely the proposition which they had adumbrated in the year 1975, two years back when Sheikh Abdullah was enthroned as the Chief Minister of Jammu and Kashmir. Was it not a strange arithmetic on the face of it? But it was a real arithmetic to which all of us in this House subscribed.

Sir, I would not like to take my stand on the assumption that the elections in Jammu and Kashmir in 1972 were not free and fair or that they were rigged. I do not want to take my stand on this. But what exactly they had come to believe themselves? I would like to agree

with their belief. There was a State Assembly, they were in a predominant position there and yet they came to realise that the Assembly did not reflect the will of the people. What exactly did it mean? They brought in a person who became the Chief Minister of the State who was not a Member of the Assembly then. And not only that. Did you ask Sheikh Abdullah to join your party and to defect from the National Conference? It had been your way to seduce people to join your party but Sheikh Abdullah was not seduced by you to join your party. He continued to be the Member of the National Conference and he continued to represent and lead the National Conference. Why my hon Members do not recognise this position? Otherwise if Sheikh Abdullah had been offered the office of Chief Minister he would have joined your party and he would have become the leader of your party. There would have been absolutely no difficulty about it.

But Sheikh Abdullah was not a member of the party nor was he a member of the Assembly. This House does not seem to bear in mind that Sheikh Abdullah was allowed to form a government not a single member of which belonged to the Legislative Assembly of that State. Is that not the paramount fact to be taken into account? That is exactly what I am trying to emphasise on my friend, Dr Karan Singh.

I had taken part in the debate which took place at that time and I am really proud of the contribution that I had made then. I said,

'Sheikh Abdullah has gone there as a partyless leader, as a partyless Chief Minister, as a Janata Chief Minister'

Now Sheikh Abdullah will become the Janata Chief Minister, but I predicted it in 1975. I further said

'I ask my hon friend Shri Swaran Singh who is a student of Constitutional Affairs, unlike the Prime

[Shri Shyamnandan Mishra]

Minister—Does not the Jammu and Kashmir Legislative Assembly stand as good as dissolved? What is the meaning of the Jammu and Kashmir Legislative Assembly in the present context? None of the Ministers of Sheikh Abdullah happens to belong to the Legislative Assembly."

If the Legislative Assembly were that important at least one member of the Cabinet could have been contributed by that celebrated State Assembly. But not a single member of the Cabinet was contributed by that Assembly. Yet, you are laying all stress on the Legislative Assembly!

What then was the new factor brought into the situation to reflect the will of the people? That is precisely the point with which the House must grapple. The new element brought into the situation was the pact between the then Prime Minister and Sheikh Abdullah, because the then government realised that the Assembly did not reflect the reality of the situation there. It is the pact between the then Prime Minister and Sheikh Abdullah which provided the real birth to the Legislative Assembly. It is this pact which had been governing the State and not the Legislative Assembly there. So you had come to the conclusion that a new pact was required with a person who had been in exile for 22 years. That reminds me of a very desirable development which has taken place in this House, namely a man whom you had hand-cuffed and used to bring to the court in hand-cuff is now a minister governing this country! That has been precisely the tradition of a Gandhian country like this. So, at that time a pact was brought about to reflect the reality of the situation. Now my hon. friend should again come to the view that a new relationship between the new Prime Minister and Sheikh Abdullah is required to reflect the reality of the situation. I am only stating the facts

which you have created there and I would like you to adhere to those facts. I would also like this hon. House to bear this in mind.

The one problem to which I do not find an easy solution is this. The State is now under Governor's rule which has been imposed with the concurrence of the President of India. Concurrence of the President of India means that it was done with the aid and advice of the Central Cabinet. Yet in the Constitution of Jammu and Kashmir the provision is that the budget would be passed by the Governor.

13 10 hrs

[MR SPEAKER in the Chair]

That creates problem which I am not easily able to solve. We have to go by the situation as it obtains according to the Constitution of Jammu & Kashmir. (Interruptions)

Now they have been subscribing all the time to the special Constitution of the State of Jammu & Kashmir. Although the provision in that Constitution is that the proclamation will issue only with the concurrence of the President of India, yet my hon. friends on the other side have been subscribing to the view that it is a wholly desirable provision in the Constitution of Jammu & Kashmir that there shall be a Governor's rule and that the Governor should pass the budget. Why had you been subscribing to this view? So far as the ruling party is concerned—and I am proud to belong to the ruling party—the hon. Prime Minister has always been saying that we must not do anything which will impair the unity of the country. But here are these gentlemen who have been talking in terms of the south or some States and so on. Please do not tell us that in these States you have got the majority. The country is represented by the party which reflects the predominant opinion of the people of the country. But you are pointing to State A or State B or State C and all these States happen to be in a parti-

cular area—and therefore you suggest that there has been a polarisation between the north and the south. We do not subscribe to these sinister assumptions and inferences and I must say that you are not true to your leader when you are talking in terms of the south and the north.

My final submission is this. This has to be solved in some amicable manner. It is a matter of gratification that the new Prime Minister always brings a constructive spirit to bear upon the problems of the country. He has shown during the last two or three days that he can be accommodating to an extent to which the Prime Minister after Nehru or Lal Bahadur Shastri has not been. Your leader was not so accommodating otherwise he would not have to face this catastrophe. If there is a kind of some dialogue between the new Prime Minister and the opposition on this point they should evolve a practice that the House should take command of in some way the Budget proposals because it is in substance President's Rule but because of the special Constitution of the Jammu & Kashmir it is known as Governor's Rule. With this constructive suggestion I would like to accord support to the new Prime Minister's policy in this matter. And I think the new Prime Minister will inaugurate a new era in Kashmir. I would ask my hon friends from the opposition to come forward and extend their hands of cooperation in this matter. They should rise above party barriers treat Kashmir in a special way and apply the delicate touch that it requires.

श्रीमती अकबर जहान बेगम (श्रीनगर) : मि० स्पीकर, बहुत भी वारें मैं ने सुनीं जो आपोजीशन और नई गवर्नमेंट के आनरेबल मेम्बरों की तरफ से आप के सामने रखी गई। जैसा कि अकबर सब को मालूम हो है जेव माह्व न हमेशा जम्मूरियत, सैन सरिज्म और मोशलिज्म को अपनाया और उन्होंने हर तरीके से यह कोशिश

की कि वागमौर उमो की बुनियाद पर सारे हिन्दुस्तान के साथ नज़दीकी रहे।

I am speaking as a Member of this House not as the wife of Sheikh Abdullah. What I say may be against the friends in the Opposition but these are facts.

एम० एम० बी० में जा अमी-अमी ताही गई है कांग्रेस के मेम्बरों में आपस में ही रूढ़िपाव नहीं था। पहले तो सब कहते रह कि जेव माह्व बहुत अच्छे है और उन का चीफ मिनिस्टर बनना बहुत अच्छा है। लेकिन बाद में जब उन्होंने देखा कि अर सूरों हान ऐसी है कि लोग कांग्रेस की तरफ से मृतपिकर हो रहे हैं तो दूसरी बिस्म की बातें करनी जान लगी।

मोव सभ्रा के लिये मेरा जो इल्लैजन्स हप्ता टा में सब दुनिया के सामने जाहिर हो गया कि लोग किस के साथ हैं। बेहद काशिश की गई हम भी हाने की। मेरे खिलाफ भी तीन और कॅम्पेस्ट लड़े किये गये।

एक माननीय सदस्य बहुत बेईमान हैं वे लोग।

SHIRI MOHD SHAFI QURESHI
The word 'be-imaan' should be expunged, because he does not know its meaning. 'Be-imaan' in this context is a bad word.

श्रीमती अकबर जहान बेगम : एक तो उनमें से वह भा बंधे जिन की कांग्रेस की तरफ से बहुत बैरिंग की जाती थी-मौलवी इफ्तिखार साहब। खैर, बुदरत का करता ऐसा हप्ता कि वह हार गये। किसी चीज ने मजबूर किया। जेव माह्व का अगर कुर्मी की जरूरत होती जैसे कि ये लोग हैं वे अल्फाज में जाहिर करन की कोशिश करते हैं तो फिर उन्हें जेल काठ के लिये जाना था और यह एनीगेशन भी आयद अगर मैं न करेक्टली सुना कि कुछ पाकिस्तान की तरफ का कह रहे थे। (व्यवधान)

एक सदन सदन नहीं, किसी ने नहीं कहा।

धोमती घरघर जहान बंगम हवेशा
से उन्होंने टूनेशन ध्योरी से इनकार किया और
उन्होंने हमेशा मन्न किया । हमें साथ लेकर चार
माल कीजलावतनी भी काटी तीन माल कोटाई
जैनाल मे माउय के अंदर और पि एरसान
दिल्ली के अंदर । गैर डम का कोई गिला
किसी पर नहीं है । आप लोग सब समझते
हैं कि ऊंचे आदर्शों के लिये सफरियम घानी ही
है । अगर वे हम चीज के पाज न होने,
कुसिया के लिये उन की लालब रानी तो फिर
सफरियम बाह के लिये नेनी की ?

कारेमियों ने अब गया माहोन पैदा
कर दिया था कि उन के लिये गवर्नमेंट चलाने
वही दुस्वार हो गई थी । अमन्वली के अंदर
मे, बाहर से सब तरफ से कोशिश यह की जानी
थी कि जिन उमूला पर अफरियन, मोंगनियम
और सेवपुनरियम पर वे गवर्नमेंट चला रहे
थे वह न चला सके और जो करने हैं कि तीन
आदर्शियों पर नाचते थे, वह ठीक है, मोता
मापेया, अमेन्वली के एलेक्सा मे दूसरा मोका
प्राणवा जो कि मरह इमीनिये है । उन्होंने
इमीनिये कहा कि मेरे प्राणवा को बिनकुल
आजादता और पर अफरियन, सेवपुनरियम
और साधनियम के उमूला पर खुली राय रखने
का मोका होना चाहिये । जिना किसी छोठ
और खनर के वे अपने नुमाइने चुने जा कि
अमेन्वली में उन की नुमाइन्दगी करें ।
तीन आदर्शियों पर कोई नहीं नाचने ।
यह सारी दुनिया जानती है न मिर्क हिन्दुस्तान
बल्कि हिन्दुस्तान के बाहर के लोग भी जानते
हैं ग्रेव घन्तुना का जिन की उम्र के 46 मान
पानिदिकम मे हो गये हैं और उन्होंने कभी
छोखा नहीं किया, उन से छोखा किया गया ।
उन्होंने पि सी को छोखा नहीं दिया । इस तरह
वे अपने अन्वज के पावन्द हैं । जिन वक्त
अपने एलेक्सा के लिये मुझे अपनी कान्डी
ट्यूएमो में जाना पड़ा, काली दुस्वारिया भी
घाती थी सामन लेकिन उन सब दुस्वारिया के
छाने हुए मैंन काटीयू किया और उन्होंने यही
कहा हमना मुझे साथी न कहना पड़ा जिन मे कि

लोगो ने मूजमे कहा ब्रेगम साहिवा, हमें छोखा
लगा, आप ने कहा था जब मोटियम पर मोटियम
हुमा करती थी जिन मे 15-20 और 30
हजार से कम लोग कभी नहीं थे उने कहा कि
क्या छोखा हुआ आप लोगो मे तो उन्होंने
कहा कि आप ने कहा कि क ग्रेम और हमें
एलेक्सा मे बिनकुल एक साथ चलना है न
कि हमे उन के कैंडीडेट को नुवसान पढ़वाने
की कोशिश करनी है । और ये यह भी चाह्यो
कि वे भी उन वादे पर रहे जो श्रीमती इन्दिरा
गांधी और शेख साहब के दरमियान बने
हुई और उन को कैंडिडेट के दरमियान बने
हुई कि यह तीन सीटें हम को मिली है ये तीन
सीटें क ग्रेम की हैं । लेकिन यह '... बाई
कि एक दूसरे के साथ ऐसा न किया जब कि
घाया दिया जाय । मैं सब जाना नहीं चाहती
इन मे । एर तो मुझे मेरा अमीर इजराइल
नहीं देना कि मैं उन बातों का जिक्र करूँ ।
यहां पर एक जिक्र किया गया कि एक जोर
गलाई गई । उन जोर को जानने में भी
उन्होंने का हाथ था । चूँकि हम मे कारेमियों
की एक सीधी समझी बात कि इसका एक
हमें के और पर इन्वेष्ट कर रहे यहा जिना
मुझे विवाद करायें ताकि उन सूरत में
इन्वेष्टावान को मुल्लेकी करायें लेकिन सारी
पापमोर इस बात को साबिन कर सफ़ी है
इस तरह से साधवाना, किसी को पीड के पीछे
काई बान कहना, मुन्क के लोगो मे दूर किने
तरह की बाने कहना बडा प्रामाण है लेकिन
मुन्क के लोगो के सामने बाने कहना दूसरा
बान होयो कि तीन आदर्शों जिसके साथ है
और सारा काश्मीर जिसके साथ है । इसलिये
मैं चाह्यो हू कि जब इस हाऊस मे हम आये
हैं तो हम सब बहुत शरीफाना और इमानदा
राना और पर बाज कह, जो हकीकत है उनके
बलत तरीके से बयान करने की कोशिश न
करें । झूठ को बोने कि हकीकत है और हकीकत
को हम बयान ही न करे यह जायज नहीं है ।

इन लोगो ने शेख साहब के लिए गवर्नमेंट
चलाने का कोई रास्ता ही नहीं रखा । कभी

CONTENTS

No 5—Wednesday, March 30, 1977/Chaitra 9, 1899 (Saka)

COLUMNS

Members Sworn	I
Paper laid on the Table	I
Calling Attention to Matter of Urgent Public Importance—	
Reported printing and numbering of duplicate Ballot papers by Government Press, Alipur, Calcutta	2—12
Shri Jyotirmoy Bosu	2, 5—9
Shri Shanti Bhushan	2—5, 9—10
General Budget, 1977-78—General Discussion and	
Demands for Grants on Account, 1977-78	13—96
Shri Aravinda Bala Pajanor	13—17
Shri Kanwar Lal Gupta	17—23
Shri Sougata Roy	23—28
Shri Ugrasen	29—36
Shri K.A. Rajan	36—38
Shri Govinda Munda	38—40
Shri Charan Narzary	41—44
Shri Gev Mancharsha Awari	44—47
Shri Manohar Lal	47—56
Shri P.G. Mavalankar	56—63
Shri Sarat Kumar Kar	63—65
Shri Larang Sai	65—69
Shri Bashir Ahmad	69—75
Shri H.M. Patel	75—84

	COLUMNS
Shri Arvinda Bala Pajanor	173—180
Shri H M Patel	180
Pondicherry Appropriation (Vote on Account) Bill, 1977— <i>Introduced</i> —	
Motion to consider—	
Shri H M Patel	181
Clauses 2, 3 and 1	182
Motion to pass—	
Shri H M Patel	182
Supplementary Demands for Grants (Pondicherry), 1976-77	182—83
Pondicherry (Appropriation) Bill, 1977— <i>Introduced</i> —	
Motion to consider—	
Shri H M Patel	183—85
Clauses 2, 3 and 1	186
Motion to pass—	
Shri H M Patel	186

LOK SABHA DEBATES

1

LOK SABHA

Wednesday March 30 1977/*Chaitra*
9 1899 (*Saka*)

The Lok Sabha met at Eleven of the
Clock

[MR SPEAKER in the Chair]

MEMBERS SWORN

Thakur Girjanandan Singh
(Sheohar)

Shri M N Govindan Nair
(Trivandrum)

Shri Tukaram Sadashiv Shrangare
(Osmanabad)

Shri Arjun Singh Bhadoria
(Etawah)

12 02 hrs.

PAPER LAID ON THE TABLE

ANNUAL REPORT ON WORKING AND
ADMINISTRATION OF COMPANIES ACT
1956 FOR THE YEAR 1975-76

THE MINISTER OF LAW, JUSTICE
AND COMPANY AFFAIRS (SHRI
SHANTI BHUSHAN) I beg to lay
on the Table a copy of the Annual
Report (Hindi and English versions)
for the year 1975-76 on the working
and administration of the Companies
Act, 1956 under section 633 of the
said Act [Placed in Library See
No LT-14/77]

153 LS-1

2

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

REPORTED PRINTING AND NUMBERING
OF DUPLICATE BALLOT PAPERS BY
GOVERNMENT PRESS ALIPUR
CALCUTTA

SHRI JYOTIRMOY BOSU (Dia-
mond Harbour) I call the attention
of the Minister of Law Justice and
Company Affairs to the reported
printing and numbering of duplicate
ballot papers in laks by Government
Press Alipur Calcutta under the
control of a senior IPS Officer

THE MINISTER OF LAW JUSTICE
AND COMPANY AFFAIRS (SHRI
SHANTI BHUSHAN) Mr Speaker
Sir Ballot paper, with identical serial
numbers were detected by the Return-
ing Officers for Parliamentary Consti-
tuencies in West Bengal on verification
of the bundles of ballot papers receiv-
ed by them from the Government
Press before issuing them for use at
polling stations. The particulars of
such ballot papers were as follows —

13 Barasat Parliamentary Consti-
tuency

S Nos 563501 to 563600 (100 numbers)

15-Joynagar (SC) Parhament Consti-
tuency

S Nos 656551 to 657000 (450 numbers)

S Nos. 644001 to 645000 (1000 numbers)

19 Barrackpore Parliamentary Consti-
tuency

S Nos 669001 to 670000 (1000 num-
bers)

S Nos 635401 & 586700 (2 numbers)

[Shri Shanti Bhushan]

20 Dim Dum Parliamentary Constituency

S Nos 458272 458273 & 739728 (3 numbers)

1-Cooch Behar (SC) Parliamentary Constituency

S Nos. 298001 to 299000 (1000 numbers)

S Nos 522776 (1 number)

3-Jaipur Parliamentary Constituency

S Nos. 236001 to 237000 (1000 numbers)

S Nos 293001 to 294000 (1000 numbers)

S Nos 421001 to 422000 (1000 numbers)

S Nos 473001 to 474000 (1000 numbers)

S Nos 475001 to 476000 (1000 numbers)

S Nos. 556001 to 557000 (1000 numbers)

S Nos. 640001 to 641000 (1000 numbers)

31-Contai Parliamentary Constituency

S Nos 4050 numbers

34-Purulia Parliamentary Constituency

S Nos 1000 numbers

The total number of ballot papers with duplicate numbers was 16506

The serial numbering of ballot papers in West Bengal was done by means of hand numbering machines. The work was done by outsiders on contract basis within the premises of the Government Press under strict supervision of the Press authorities and police. The method of work this time has been that 9 squads, with 30 persons in each squad, were in operation in respect of each Parliamentary Constituency. In all there are 43 Parliamentary Constituencies in West Bengal. They worked under the overall supervision of employees of the

Press earmarked for the purpose. Numbering was done in bundles of one thousand each and the serial numbers to be printed on each bundle was assigned to each squad by employees of the Press. The duplicate number of a few thousand ballot papers was due to the wrong assignment of the same sets of serial numbers to more than one squad engaged for the serial numbering of the ballot papers of one Parliamentary Constituency. As a result, a few bundles of thousand ballot papers each had the same serial numbers. The mistake was detected by the Returning Officers in the course of the verification of ballot papers received by them before issue to the Presiding Officers of the polling stations. As soon as the mistake was detected all the ballot papers with identical serial numbers were returned to the Press for safe custody and substitute ballot papers with correct serial numbers were printed afresh by the Press and supplied to the Returning Officers.

The persons employed in the Press who were responsible for the mistake have already been placed under suspension and inquiries have been initiated for fixing the responsibility for the mistakes.

From the experience of previous elections the Election Commission had realised that the mistake of printing identical serial numbers on ballot papers was possible due to error in the operation of numbering of ballot papers. In paragraph 4 of Chapter IV of the Handbook for Returning Officers, 1977 Edition, the Commission had issued detailed instructions for the verification of ballot papers by the Returning Officers before they are issued to the Presiding Officers of polling stations. The instructions provide that whenever the Returning Officer detects ballot papers having identical serial numbers, the particulars of the serial numbers should be noted in a register and published on the notice board. A copy of the notice should also be sent to each of the contesting

candidates. The ballot papers with duplicate numbers will then be sealed with the seal of the Returning Officer and the seal of the Supdt of the Government Press where the ballot papers were printed and kept in safe custody in the Government Press itself pending directions from the Commission for their destruction. These instructions were carried out carefully by the Returning Officers in all cases in which ballot papers with identical serial numbers were detected for the last general election to the Lok Sabha.

It may also be mentioned that rule 38 1) of the Conduct of Elections Rules 1961 provides that every ballot paper before it is issued to an elector shall be signed in full on its back by the Presiding Officer. This provision ensures that every ballot paper used at the poll is genuine and that the mistake of printing a few ballot papers with identical serial numbers will not in any way vitiate the poll.

PROF. DILIP CHAKRAVARTY (Calcutta South) Is there any parallel to these things in the past?

SHRI JYOTIRMOY BOSU Sir, the hon Minister, I apprehend, has given the statement on the basis of the facts provided by the West Bengal Government. The Chief Electoral Officer is an officer of the West Bengal Government. These facts are not correct. It proves from the big bundle that I am having that hundreds of more such bundles were recovered and I would like your direction on the matter whether I shall lay it on the Table of the House or hand it over to the Minister.

MR. SPEAKER Hand it over to the Minister.

SHRI JYOTIRMOY BOSU Sir, from the statement, I would like to say that the instructions provided that whenever the Returning Officer de-

tected the ballot papers having identical serial numbers, the particulars of the serial numbers should be noted in the register and displayed on the notice board. A copy of the notice should also be sent to each of the contesting candidates. I can assure you, Mr Shanti Bhushan, that this was not done as far as I know. What has happened in the Government Press Alipore Calcutta the tip of the iceberg and I appreciate the role played by newspapers, particularly *The Statesman* in Calcutta and *Anand Bazar Patrika*. I appreciate also the role of *Jugantar* as they had published these things and brought these things to light, but we have got these things earlier because we have come to know the day it had been done.

Sir, it was a part of the Master Plan for widespread rigging in selected areas by the ruling party then in power. That is part of the master plan. Sir, fortunately the anti-Indira and anti-Congress wave was so terrific that it flooded away everything. This was not today—from Himachal to West Bengal you cannot find a single MP coming from one State. Nothing short of a parliamentary enquiry or a Commission of enquiry will satisfy the people and unearth the mischief behind it.

Sir, *'Statesman'* dated 11th of March says

"50 000 to 70 000 ballot papers of Burdwan and Alipore were missing. Duplicate ballot papers were printed in Lakhs."

Anand Bazar Patrika dated 12th March Jalpaiguri where Mrs Maya Ray, the spouse of the sitting Chief Minister of West Bengal is gloriously contesting—and I am glad that Mr Kagan Dasgupta I don't know if he is here, defeated her a substantial margin—duplicate ballot papers with same serial numbers detected in that particular place where the Chief Minister's spouse was contesting comes to about 70 000. The Deputy

[Shri Jyotirmoy Bosu]

admitted that duplicate of several thousand ballot papers came and those were being sent to Calcutta. He admitted this himself. Sir The Chief Electoral Officer corroborated that 3500 duplicate ballot papers were detected at Jalpaiguri. This is far from correct. Demonstrations were taken out by the people of Jalpaiguri in protest. The 'Jugantar' which is a paper owned by a Congressman, Tarun Kanti Ghosh till the other day, a sitting member of the West Bengal Government says on 13th of March that at four places—Contai, Purulia, Jadavpur, Tufanganj—duplicate ballot papers were received. At Contai it was 3000, at Purulia it was over 7500, for Tufanganj we have not got the number but it runs to 10,000. The presiding officer detected this and the Chief Electoral Officer confirmed it. Ananda Bazar Patrika dated 13-3-77 says that the Chief Electoral Officer confirmed it. Duplicate ballot papers of Jadavpur, Burdwan, Howrah and Durgapur were received.

Mr Krishna Chandra Halder is sitting behind me. The Returning Officer and the Assistant Returning Officer confirmed this to me.

Sir I quote from 'The Statesman' dated 13th March:

"The detection of a large number of 'duplicate ballot papers' in several districts of West Bengal—only two days after such discovery in Jalpaiguri—caused a flutter in political circles in Calcutta on Saturday. Leaders of some Opposition parties said this confirmed their suspicion that agents of a certain political party—well we know that the political party it is—were engaged in rigging the election to ensure Congress victory at the poll."

Therefore Sir Mr Bhoj Singh now sitting MP claims that duplicate ballot paper at the rate of 20,000 per constituency were printed at Alipore, West Bengal Government Press. Sir

such duplicates went to local Congress offices. At Tamluk the number went as high as 26,000 vide Ananda Bazar Patrika dated 16th March, page 1. The same thing happened at Basirhat and Mathurapur. Sir, mind you at the counting time the printed serial numbers are not checked. So it is an easy task. Being not satisfied in Midnapur they went to the extent of stealing ballot boxes. The Congress President Shri Arun Mohtra has admitted this vide Ananda Bazar Patrika issue of 13th March, page 10. The CPI also sent telegrams demanding an immediate inquiry into this. Shri P. C. Sen said one Central Cabinet Minister—I am told he is Mr Chattopadhyaya but I do not want it to go on record—and two senior most officials—one of them got extension after retirement—conspired in Writers Building to do this. In some constituencies even 50,000 to 60,000 duplicate and forced voting was done.

Sir, the erstwhile Prime Minister and West Bengal Chief Minister's arrangements were well-planned. For Government Press Alipore, Calcutta they imported a senior police officer to be in charge of printing about one and a half years ago. Perhaps Mrs Gandhi thought she needed to hold election in 1976. This Controller of Printing has a very shady past. The CBI raided his house. He is a drug addict. During the raid—I regret to say—bunch of photographs of nude tribal girls was found in his house. When he was S.P. Burdwan there, were 225 political murders and not a single prosecution took place. The then Prime Minister recommended President's Police medal for him for rehabilitating the Congress in Burdwan.

Ballot papers far in excess for each constituency were there. Outside private individuals brought 300 persons called private dastries for serial numbering. They were forced to do duplicate serial numbering on threat.

They were paid abnormally high remuneration. When this thing leaked out the innocent employees were suspended. I would like the hon. Law Minister to tell us as to how many such persons have been suspended from service. Why the big shots were not suspended. Shri Mukherjee is still holding that post. Why is it so?

Sir, in Barrackpur out of 743 booths as many as 500 booths were captured by Congress hooligans in Katwa many booths were captured. We demanded a re-poll there. Because of this the margin in Dum Dum and Diamond Harbour got substantially reduced. Prof Chakravarty was hurt so seriously that he had to go to hospital. Mr Swaminathan was kept informed about all this through telegrams cables and telephones. I am sorry to say that Mr Swaminathan when he went to Calcutta and held a press conference there did not hear the grievances of the opposition parties before organising the press conference. He said सब कुछ ठीक है।

Sir, in spite of all this there has been massive defeat of the Congress. Under the present circumstances, how can the present West Bengal Government remain in power when it is established that the West Bengal ruling party, the Chief Minister, other Ministers and some senior officials, entered into a conspiracy to commit the most heinous and shameful fraud which has damaged the image of this country in the whole world. In the face of this how can they remain in power and remain re-elected to their chairs. I reiterate that there should be immediate suspension this is absolutely necessary.

MR SPEAKER You have said that, please resume your seat and let the hon. Minister reply.

SHRI SHANTI BHUSHAN Sir, I may submit that the facts about which I have made a statement have been

obtained from the Election Commission. The hon. Member Mr Jyotirmoy Bosu has promised to supply more ballot papers and we shall make further enquiries about them in due course and make further statements. He has also made an allegation that copies of the register were not sent to the candidates about duplicate papers as required by the manager, we shall make enquiries about that. So far as the query as to which officers had been suspended, and what action had been taken, and other allegations about the capture of the booths etc are concerned, we shall ascertain facts and if necessary make a further statement about it. (Interruptions)

AN HON. MEMBER How so many ballot papers came into his hand?

MR SPEAKER Order, order. It is not a question hour. There are many new Members and they may not know the procedure. On call attention notices only those people who give notice will be allowed to ask a question after the hon. Minister has replied. If there are a number of members, the names will be balloted and only 4 or 5 names will be allowed to come and they alone will be allowed to ask questions. No other name is allowed.

We have to go to the next subject and I want to take the opinion of the House as to how many hours they would like to have for the discussion of the Finance Bill. Because already we have spent about two hours and fifteen minutes. The Tamil Nadu Budget, the Pondicherry Budget and the Nagaland Budget are also to be completed today and they will have to be sent to the Rajya Sabha. I think we can devote one hour for each that means three hours and two hours for our budget which means five hours. Even that will be too much today. Still I suggest for the consideration of the House, five hours would be more than enough. I cannot help it because it

[Mr Speaker]

has to go to the Rajya Sabha and there is no other alternative left to us.

PROF DILIP CHAKRAVARTTY
We should like to have a parliamentary probe as demanded by him

MR. SPEAKER You can give notice of that, you are entitled to do that.

श्री प्रभुन सिंह भदौरिया (इटावा) :
श्रीमान्, मेरा व्यवस्था का प्रश्न है। ऐसा लग रहा है कि एमजेंसी का भूत हिन्दुस्तान में मरने के बाद लोक सभा के साढ़े के फाटकों पर छाकर जम गया है और घाने वाले सदस्या तथा दूसरे व्यक्तिया पर झपटा है। इस स्थिति को समाप्त किया जावे।

MR. SPEAKER It was brought to my notice by the Minister. Are the gates still closed? The gates are all open, whatever position was obtaining before 26th June 1975 is being re-established. The position is being reverted. I am told some gates are closed because otherwise they are used as a thoroughfare by people who want to use this as a shortcut. I have already issued instructions that the gates should be opened. But we should not allow others to use this as a thoroughfare or as a shortcut. Otherwise all gates are open, if they are not open, they will be opened immediately.

श्री प्रभुन सिंह भदौरिया अध्यक्ष
महोदय, आपने हमारी पूरी बात नहीं सुनी है। मैं अपनी पूरी बात कहें बिना नहीं बैठूंगा।
हमारा निवेदन है कि

MR. SPEAKER I have taken pains to explain the position I have already taken steps. The Minister has told me. Instead of taking the time of the House for these things, he could have talked to me (interruptions) I cannot allow this.

श्री प्रभुन सिंह भदौरिया दूसरा तथ्य
जा सभी तक आपने नोटिस में नहीं लाया है—
इस संसद के दो अधिकारियों को एमजेंसी में पकड़ कर गिरफ्तार किया गया, जेल में भेजा गया, उनको प्रमानित किया गया। लोक सभा और संसद के इन अधिकारियों को सभी तक क्या भुषणित रखा गया है या बरखास्त किया गया है, इसको आप बन्स डर कीजिये। यह सदन का मामला है, सरकार का मामला नहीं है, इस पर खामोश नहीं रहा जा सकता है।

MR. SPEAKER The Minister of Parliamentary Affairs has brought it to my notice. I have already discussed this matter with him. If you want to waste the time of the House on all issues, everyone can speak. I have no objection. We can just discuss all these problems one day. Otherwise we can go on spending time on these issues. He has told me about the matter and he has brought it to my notice. I have already discussed these things. What is the point then? We all can discuss in this House all matters, about all parliamentary matters not in this way but in a quiet way. You bring it to the notice of the Minister of Parliamentary Affairs and he will bring it to my notice. If you are not satisfied, then you can directly come to me. I am available. That is the way of doing things. If the time of the House is taken on these matters, there will be no end to it. As I said we have to pass so many budgets.

11.25 hrs

**GENERAL BUDGET, 1977-78—
GENERAL DISCUSSION AND
DEMANDS FOR GRANTS ON
ACCOUNT, 1977-78—contd**

SHRI ARAVINDA BALA PAJANOR (Pondicherry) Mr Speaker Sir before I continue my discussion on this budget I do not know whether the Finance Minister is present here. Moreover there is no Minister of State to note down the points. I do not know whether the Finance Minister is hearing my speech from his room so that he may reply to the points raised by me in this House. I do not want to waste the time of the House unless somebody takes note of the points made by me (*Interruptions*)

Mr Speaker, Sir, yesterday, I said that we were all eloquent in saying about the unemployment problem in this country and there is no difference of opinion on this from both the sides of this House that the 'number of educated unemployed' is 80 lakhs, some have said that it is 90 lakhs. But according to the figures available it is about 65 lakhs or 75 lakhs so far as the educated unemployed is concerned. I would like to know from the Finance Minister what is his plan of solving the unemployment problem in 10 years. Even if he has a plan for four months I would like to know how many thousands or how many lakhs of people he is going to employ in this period. I do not find anything concrete in this speech or in the budget proposals. So I would request the Finance Minister to give a categorical reply and by that the people can understand, especially the unemployed who voted for many of us, as to how many unemployed people are going to be employed and in what manner. In connection with progress made so far Mr Subramaniam Swamy yesterday said that it was nature that helped this country very much and

the previous Government cannot take credit for it. I do not agree with him entirely. Of course nature helped us to a great extent. But it is also a question of executing the policies of the previous Government and the Government prior to that mooted the way for progress. It may also be responsible for their failures due to their mode of execution. But I would like to know what is the policy that you are suggesting to avoid future setbacks. In so far as the rivers of this country is concerned I would request the Prime Minister to have life time policy as far as water is concerned. I am coming from the extreme South namely, Pondicherry. We cannot get water if we have a different Government in Tamil Nadu. The same thing may happen to Tamil Nadu if the Government of Karnataka is not prepared to give water to it. Something happened last year and there was a drought and many parts of that State had to go fallow because of water scarcity. Last time we suggested that the nation's water should be the wealth of the whole country. I expect the Finance Minister to come forward with a suggestion that this Government's policy is to nationalise the river waters so that the integrity and the unity of the nation could be maintained at least in the matter of river waters. But that was not there. Yesterday, Mr Subramaniam said—I do not know in what context he said it—a portion of the country is on trial. You cannot forget that most of the members sitting on the opposition side in this House today are from the south. In this connection I would remind the House that from time immemorial the Ganga-Cauvery Project has been talked about in this country. I do not see any mention of it in your programme. You have mentioned about certain other river projects on which a lot of money is going to be spent. Why should not the Janata Government come forward with a bold scheme to unify the country by connecting Ganga and Cauvery, so that the water problem can be solved and the kisans may say happily,

[Shri Aravinda Bala Pajjanor]

"This is really a Janata Government"
But I do not see it in your programme

I now come to the workers in various industries and offices. The people have voted for the Janata Party with the hope that you will give bonus to them. Not only that, we were very eloquent in criticising the previous government for freezing bonus and unnecessarily introducing the compulsory deposit scheme. Now, I want to know what is going to be your policy. Are you going to give bonus to the workers? Why not spell it out clearly and categorically. Let us not be escapist once again. I request the Prime Minister and the Finance Minister to spell out the policy regarding bonus and compulsory deposit scheme. On behalf of my party, I demand that the workers must get back their bonus. These are the people who worked for the betterment of the country. I do not agree with Shri Subramaniam Swamy that nature alone has helped the country to improve. The workers in the factories, offices and various other places have also contributed to the development of the country and they must be benefited. One-third of the total number of workers are industrial workers. They must get back their bonus and this compulsory deposit scheme must be abolished. You cannot delay it any more because the poor men want their money back. I request the government to make a categorical statement about it.

Mr Subramaniam was pleading yesterday that the composition of this House must be understood properly. I say with great conviction—not for paying lip service—that this country must be united and live united for ever. It was pointed out that we must bow down to the verdict of the people, who are sovereign. I do agree but you must realise that the same people have elected the opposition members also. Taking advantage of the results of the general elections, some people are trying to

create an impression that the north and south cannot co-exist and they say, "You have been thrown out by the people in the elections." The architect of this is Shri Karunanidhi, the discredited former Chief Minister of Tamil Nadu. In his newspaper *Murasoli* he has already started criticising the previous Prime Minister. The theory of north and south is sought to be revived and it is a very serious matter. I do not say it just because I am sitting on this side of the House. I am happy that the people have voted for the Janata Party in a big way, but as I said, the opposition members also have been elected by the people. Taking advantage of the emergence of the Janata Party Government into power they are spreading this virus in the south saying, "You are not the people who can dictate to us." I want to remind this Government that if you do not take proper action in proper time we will have to pay a very heavy price for it later. I say it from the bottom of my heart that our party has this great conviction that this country must live as a united nation. It is not possible unless you unify it economically. That is why I said, there must be a national policy for the waters of the country. Unless you put down the dissimilar tendencies in the south it will assume dangerous proportions. It may be a painful thing politically to survive but the Prime Minister, with all his experience, I am sure, is attached to principles and policies. I do not think he will encourage these unwanted elements in the country who are trying to divide the country and destroy it. I like to conclude by saying that we will work with you so long as your measures are progressive and are good for the people. But I must tell you that there are dark days ahead and we have miles to go. In this House, there are so many ex-Ministers and learned Members both on this side and on the other side. So I think it is the best opportunity that has been given to us and we must utilise this opportunity; other-

wise we will be condemned by the people. On behalf of my Party, I extend my cooperation and tell you that we will go hand and hand with you so long as your programmes and policies are constructive.

I hope the Finance Minister will come out with clear-cut policies about financial matters at the time of next Budget.

श्री कवर हान गुप्ता (सदर-दिल्ली) :

प्रधान मंत्री, मैंने कल भूतपूर्व फाइनेंस मिनिस्टर का भाषण एक घंटे तक शान्तिपूर्वक सुना। मुझे कुछ के साथ कहना पड़ता है कि उनका भाषण निराशाजनक भाषण था। खास तौर से प्रारम्भ में उन्होंने जो ब्रम्बर-बैशन किया और कई सवाल उठाए। उन्होंने कहा कि श्री मधु लिमये और जार्ज फर्नाण्डीज अपने रास्ते को छोड़ कर दूसरे रास्ते से चुन कर भाये हैं। वे यहाँ पर नहीं हैं। मैं उनसे पूछना चाहता हूँ कि क्या यह क्रेडिट की बात है या डिफिट की बात है? जनता पार्टी के अनुसार यह बहुत बड़े क्रेडिट की बात है। देश का कोई भी व्यक्ति देश के किसी भी हिस्से से चुना जाए इससे बड़ी क्रेडिट की बात क्या हो सकती है। मैं आपकी याद दिलाना चाहता हूँ कि श्री मजित प्रसाद जैन जो कि यू० पी० के रहन वाले थे, आप लोग ने उन्हें साउथ से चुनवाया था और छथवारा में इस बात की घोषणा की थी कि यू० पी० का एक व्यक्ति साउथ से चुना गया है। अब तो वह क्रेडिट की बात थी, आज डिफिट की बात बनने लगी। क्या आप लोग इसकी क्रेडिट की बात मानते हैं कि आप देश के विभिन्न हिस्सों से अपनी रिजिस्ट्री जगाएँ? यह कहें कि गुजरात की मैं कहूँ हूँ, पंजाब की मैं साहू हूँ और दूसरी जगह की मैं यह हूँ। जनता पार्टी की सारे देश में एक ही रिजिस्ट्री है कि देश के सभी वाली हमारे भाई रहन हैं। एक दिन वह भी जाने वाला है जब तमिलनाडु के लोग दिल्ली में चुन कर यहाँ आएँगे और दिल्ली के लोग तमिलनाडु में यहाँ चुन कर आएँगे।

हम ऐसा वातावरण देश में पैदा करना चाहते हैं।

प्रधान मंत्री, देश ने एक नयी राह देख ली है। भूतपूर्व वित्त मंत्री ने बहुत सारी बातें बताई लेकिन मैं उनकी सेवा में यह कहना चाहता हूँ कि उन्होंने अपने पिछले बजट भाषण में क्या बातें कही थी और जिनका उन्होंने बहुत डिबेटोरी पीटा था। उन्होंने कहा था—

"With the resolute and dynamic leadership the new programme has generated an unprecedented sense of discipline and dedication in every field of economic life."

यह बात कह कर उन्होंने शुक्राक्ष की सी। उन्होंने कहा कि एक बहुत बड़ा कार्यक्रम उन्होंने लिया है। लेकिन स्थिति क्या है यह हमारे वित्त मंत्री जी ने बताया है। उन्होंने बताया है कि डिफिट पहले से ज्यादा बढ़ गया है। बजट का डिफिट जो 328 करोड़ होना था उसकी जगह अब वह 425 करोड़ का होगा इस साल। इसके अतिरिक्त इस साल में जो स्थिति आने वाली है वह यह है कि अगर यह जो फारेन एक्चेंज का क्या भाव हो फरोड के दर ब आने वाला है इसको अगर रोक कर रख दिया जाए, यह न आए तो 632 करोड़ का डिफिट होगा। यह है वह स्थिति जो इनकी सरकारों हमारे सामने रखी की है। जनता पार्टी के जो नए वित्त मंत्री हैं उनको यह जो चैलेंज है इसको स्वीकार करना है और इस चैलेंज को जनता पार्टी स्वीकार करनी है। हमारी इकोनॉमिक ग्लोब को डोलट्रम्ब में कर दिया गया है, कम्पनीट में में गड़बड़ कर दिया गया है, आज लोगों के पास परफेक्शन पावर नहीं है, कपड़े आदि का स्टॉक मिश्री में पड़ा हुआ है, मिश्री काम नहीं कर रही हैं। लेकिन बड़ी बड़ी बातें हमारे इन भाइयों ने की हैं, बड़ी बड़ी चिन्तन पेट की है और कहा है कि हमने बहुत अधिक प्रगति है। मैं समझता

डाल दिया गया। बहुत सारी सत्थामों पर पाबन्दी लगायी गई। यहाँ तक हुआ कि दिल्ली के अन्दर इमरजेंसी को जब एक साल पूरा हुआ तो दि ली के कांग्रेस अध्यक्ष ने यह घोषणा की कि दिल्ली के अन्दर लोग अपने घरों और दुकानों पर झंडे लगायेंगे। जो प्रदेश कांग्रेस के मंत्री थे उन्होंने कहा कि एक एक झंडा कांग्रेस का 50, 50 रु० में बिकेगा और झंडे बाहर से मंगाए गए। तो हमने लोगों से पूछा कि 50 रु० का झंडा कहाँ से मिला तो लोका ने कहा कि झंडा 2 रु० का और 43 रु० का झंडा था। इसलिये इस 50 रु० के झंडे की वजह से हमें भी कांग्रेस को झंडा लगाना पड़ा। इस तरह से सारे देश में कांग्रेस पार्टी में आतंक जमा कर के इस देश को इतना बदनाम किया जाता कि इतिहास में इस देश में कभी नहीं हुआ।

मैं जस्टिस करना चाहता हूँ कांग्रेस पार्टी के साथ भी और हमारी पहली प्रधान मंत्री के साथ भी। उन को दो बातों के लिये धर्मा देना चाहता हूँ। पहली बात तो यह कि हमारी जो छोटी छोटी पार्टियाँ थी, दो, तीन साल से एक होने का प्रयास कर रहे थे लेकिन हम एक नहीं हो पाते थे, प्रधान मंत्री ने सब पार्टियों के लोको को पकड़ कर जेल में कर दिया और कहा कि जब तक आप एक नहीं होगे तब तक नहीं छोड़ा जायेगा। हम एक हो गये और जनता ने कांग्रेस के आल्टरनेटिव के रूप में एक जनता पार्टी ला कर सामने खड़ी कर दी। इस के लिये मैं इन्दिरा जी को धर्मा देना चाहता हूँ।

दूसरी धर्मा देना इस बात के लिये देना चाहता हूँ कि पहल हम लोग हिन्दू, मुसलमान, सिख ईसाई, मजदूर और वकील के रूप में अलग अलग दिशा में सोचा करते थे। इन्दिरा जी ने फिना १९८० के लिये हम नहीं छोड़ा, मजदूरों का बोनस ले लिया गया, कम ससरी रिटायरमेंट कर दिया, ट्रेड्स को बहुत तग किया और इस प्रकार सब को एक जगह एकत्र होने के लिए बाध्य किया। उन्होंने कहा कि तुम जनता पार्टी के साथ जाओ वही १९८० प्राप्त

का सहारा है। हिन्दू, मुसलमान, सिख ईसाई में जो भेदभाव समाप्त नहीं हो सका वह इन्दिरा जी ने अपने कामों से 19 महीनों में कर दिया। मैं इस के लिये उन को धर्मा देना चाहता हूँ।

अध्यक्ष महोदय मैं पहले जनसच क टिकट पर कई बार चुनाव में खड़ा हुआ और मुसलमानों के वोट मुझे कम मिलते थे, मुश्किल से 2 प्रतिशत ही मिलते थे। लेकिन अब की बार मुझे 99 प्रतिशत मुसलमानों के वोट मिले, और इन सब का श्रेय श्रीमती इन्दिरा जी को है कि उन्होंने जनता पार्टी के झंडे के नीचे सब लोगों को कांग्रेस पार्टी के आल्टरनेटिव के रूप में खड़ा कर दिया। आज कुछ लोग बातें करते होंगे कि हम टूट जायेंगे। लेकिन यह भी उन्होंने देख लिया कि जनता पार्टी एक है और एक रहेगी और हमने जो वायदे किये हैं चुनाव के अन्दर उन को भी हम पूरा करेंगे।

अध्यक्ष महोदय, मैं अपने वित्त मंत्री से कहना चाहता हूँ कि एक बहुत बड़ा चैलेंज है इकोनामिक इग्नोर के ऊपर। जो बोनस पिछली सरकार ने बाटा है आप को उस पर विचार करना चाहिये और मजदूरों को जो परफेजिंग कंपेंसिटी छूट हो गई है उस को पुन मजदूरों को बोनस देकर सरकार को रेस्टोर करना चाहिये। जो पिछली सरकार ने सरकारी कर्मचारियों का डी० ए० भी किया है उस पर भी विचार होना चाहिये और वह बँज न हो बल्कि उन को दिया जाय इस बात की भी व्यवस्था होनी चाहिये।

आपने कहा कि डेफिसिट प्राइजोनिंग नहीं करेंगे। यह बहुत अच्छी बात है। लेकिन मैं चाहता कि वित्त मंत्री जी ऐसा भी न हों कि 600 करोड़ से ऊपर का जो डेफिसिट प्राइजोनिंग हुआ है उसको नये टैक्स लगा कर पूरा करें। बल्कि जो बेकार के खर्चे छान, सरकार ने बढ़ा रख हैं उनको कम किया जाय और डेफिसिट प्राइजोनिंग को कम किया जाय इस के अलावा रेवेन्यू

[श्री कवर बाल गुप्ता]

हू कि नारेबाजी का जमाना चला गया है और जनता ने बताया है कि आप कहाँ खड़े हैं जनता की राय आपने बारे में क्या है इसको भी जनता ने आपको बहुत स्पष्ट बताया है।

इस साल एग्रीकल्चरल प्रोडक्शन 11.6 मिलियन टन होगी ऐसा अनुमान लगाया गया है और यह पिछले साल से केवल दो प्रतिशत ज्यादा है जब कि 1975-76 में यह पैदावार दस परसेंट ज्यादा हुई थी। क्या यह प्रगति है? उन्होंने एक बड़ा भ्रमण किया है और कहा है कि हालात बहुत सुधर गई है। क्या यही सुधार है? जनता को मालूम है कि कितना सुधार हुआ है।

आप एम्प्लायमेंट की बात को लें। जुलाई, 1974 में 8.6 मिलियन लोग एम्प्लायमेंट एक्सेविज में रजिस्टर्ड थे और दो साल बाद यानी जुलाई, 1976 में उनकी संख्या 9.7 मिलियन हो गई। करीब एक मिलियन से ज्यादा इस संख्या में बढ़ोतरी हो गई। आज तो यह संख्या और भी ज्यादा बढ़ गई है।

जो बातें उन्होंने कही हैं वे सच्चाई से परे हैं। कांग्रेस वालों को चाहिये कि सच्ची सच्ची बातें कहना वे छोड़ दें। अपने घर की टटोलें और पता लगाए कि उनकी हार क्या हुई। केवल नारेबाजी से देश भ्रामे नहीं जा सकता। देश को भ्रामे ले जाने के लिए कोई न कोई काम करना पड़ेगा।

उन्होंने कहा है कि इस साल बजट एका के 1.36 परसेंट बढ़ाया गया है। एको के 1.36 बढ़ावे के बाद भी जितना एम्प्लायमेंट होना चाहिए था नहीं हुआ है। हमारे इन भाइयों की पालिसीज इम्प्लायमेंट प्रोमोविंग नहीं थी। जनता पार्टी ने एक बात कही है कि राइट टू वर्क एक हमारा फंडामेंटल अधिकार होगा, एक मौलिक अधिकार होगा।

कोई भी व्यक्ति हिन्दुस्तान का अगर उसको नोकरी नहीं मिलती है, वे 7 हैं यह भावर कह सकता है कि मुझे काम चाहिये और जनता प 2। 5 इकूमत उसको काम देगी और जब तक उसको काम नहीं दिया जायेगा तब तक उसको भसा दिया जायेगा ताकि वह अपना निर्वाह कर स 1। यह एक डेफिनिट चीज है जो हमारे मैनिफेस्टो में कही गई है। मैं च हुता हू कि पिछले वित्त मंत्री हमारे मैनिफेस्टो के बारे में कुछ कहने। वे उन्होंने कुछ नहीं कहा। उन्होंने अपनी ही सच्ची सच्ची बातें कही हैं कि हमने क्या किया, वह किया। आपने जो कुछ किया उस पर जनता ने अपना वाइजड दे दिया है।

उन्होंने साइड और नार्थ की बात कही। यह उचित नहीं था। हमारे मैनिफेस्टो में साफ लिखा है कि एम्प्लायमेंट प्रोमोविंग और स्माल इंडस्ट्रीज को हम बढ़ावा देंगे, बड़ी बड़ी मशीनरी नहीं लगाएंगे, जहा आवश्यक होगा वही लगाएंगे, लेकिन अधिकांश में हम छोटी छोटी मशीनरी लगा कर, छोटी छोटी स्माल स्केल इंडस्ट्रीज लगा कर ताकि ज्यादा लोगो को नोकरी मिल सके लोगो के लिए अवसर उपलब्ध करेंगे और ये गांधी में लगेगी। साथ ही उन्होंने यह कहा है कि बड़ी इंडस्ट्री वाले लोग वहा पर न लगा पाए इस बात की भी व्यवस्था की जायेगी।

भूतपूर्व वित्त मंत्री ने स्वीकार किया है कि पहले से 15 प्रतिशत दाम बढ़ गए हैं और 1974 में दामों का जो लेवल था उस पर वे आ गए हैं। इसका मतलब यह हुआ जो इन्फ्लेक्शन लगाई गई, जो आपने डिस्इफ्लिन् की बात कही प्रोग्रेस की बात कही प्रोडक्शन में बढ़ोतरी की बात कही वह सब बेकार थी। 1974 की स्थिति और आज की स्थिति में कोई अन्तर नहीं है।

जो कुछ भी कहा गया है वह राजनीतिक दृष्टिकोण से कहा गया है। देश में भ्रान्त पैदा किया गया। लाखों लोगों की जेलों में

डाल दिया गया। बहुत सारी सत्साम्राज्य पर पाबन्दी लगायी गई। यहाँ तक हुआ कि दिल्ली के मन्दिर इमारतों की जो अब एक साल पूरा हुआ तो दि ली के कांग्रेस अध्यक्ष ने यह घोषणा की कि दिल्ली के मन्दिर लोग अपने घरों और दुकानों पर झड़े लगायेंगे। जो प्रदेश कांग्रेस के मंत्री ने उन्होंने कहा कि एक एक झड़ा कांग्रेस का 50, 50 रु० में बियेगा और झड़े बाहर से मगाए गए। तो हमने लोगों से पूछा कि 50 रु० का झड़ा कहाँ से मिला तो लोको ने कहा कि झड़ा 2 रु० का और 43 रु० का डडा था। इसलिये इस 50 रु० के झड़े की वजह से हम भी कांग्रेस को डडा लगाना पड़ा। इस तरह से सारे देश में कांग्रेस पार्टी को आतंक जमा कर दे। इस देश को इतना बदनाम किया जैसा कि इतिहास में इस देश में कभी नहीं हुआ।

मैं जस्टिस करना चाहता हूँ कांग्रेस पार्टी के साथ भी और हमारी पहली प्रधान मंत्री के साथ भी। उन को मैं दो बातों के लिये बधाई देना चाहता हूँ। पहली बात तो यह कि हमारी जो छोटी छोटी पार्टियाँ थी, दो, तीन साल से एक होने का प्रयास कर रहे थे लेकिन हम एक नहीं हो पाये थे, प्रधान मंत्री ने सब पार्टियों के लोगों को पकड़ कर जेल में कर दिया और कहा कि जब तक आप एक नहीं होगे तब तक नहीं छोड़ा जायेगा। हम एक हो गये और जनता ने कांग्रेस के आल्टरनेटिव के रूप में एक जनता पार्टी ला कर सामने खड़ी कर दी। इस के लिये मैं इन्दिरा जी को बधाई देना चाहता हूँ।

दूसरी बधाई इस बात के लिये देना चाहता हूँ कि पहले हम लोग हिन्दू, मुसलमान, सिख ईसाई, मजदूर और वकील के रूप में अलग अलग दिशा में सींचा करते थे। इन्दिरा जी ने इनको एक एक करके नहीं छोड़ा, मजदूरों का वोटस ले लिया गया, कम लसरी रिटायर-मेट कर दिया, ट्रेड्स को बहुत तग दिया और इस प्रकार सब को एक जगह एकज होने के लिए बाध्य किया। उन्होंने कहा कि तुम जनता पार्टी के साथ जामो बड़ी राह आप

का सहारा है। हिन्दू, मुसलमान, सिख ईसाई में जो भेदभाव समाप्त नहीं हो सका था, वह इन्दिरा जी ने अपने कामों से 19 महीनों में कर दिया। मैं इस के लिये उन को बधाई देना चाहता हूँ।

अध्यक्ष महोदय मैं पहले जनसंघ कटिब पर कई बार चुनाव में खड़ा हुआ और मुसलमानों के वोट मुझे कम मिलते थे, मुश्किल से 2 प्रतिशत ही मिलते थे। लेकिन अब बी बार मुझे 99 प्रतिशत मुसलमानों के वोट मिले, और इन सब का श्रेय श्रीमती इन्दिरा जी को है कि उन्होंने जनता पार्टी के झड़े के नीचे सब लोगों को कांग्रेस पार्टी के आल्टरनेटिव के रूप में खड़ा कर दिया। आज कुछ लोग बातें करते होंगे कि हम टूट जायेंगे। लेकिन यह भी उन्होंने देख लिया कि जनता पार्टी एक है और एक रहेगी और हमने जो वायदे किये हैं चुनाव में मन्दिर उन को भी हम पूरा करेंगे।

अध्यक्ष महोदय, मैं अपने वित्त मंत्री से कहना चाहता हूँ कि एक बहुत बड़ा फैलेंज है इकोनॉमिक इंगूज के ऊपर। जो बोनस पिछली सरकार ने बाटा है आप को उस पर विचार करना चाहिये और मजदूरों की जो परबेजिंग कंपेसिटी खत्म हो गई है उस को पुनः मजदूरों को बोनस देकर सरकार को रेटोर करना चाहिये। जो पिछली सरकार ने सरकारी कर्मचारियों का डी० ए० भी किया है उस पर भी विचार होना चाहिये और वह फीज न हो बल्कि उन को दिया जाय इस बात की भी व्यवस्था होनी चाहिये।

आपने कहा कि डेफिसिट फाइनेंसिंग नहीं करेंगे। यह बहुत अच्छी बात है। लेकिन मैं चाहूँगा कि वित्त मंत्री जी ऐसा भी न हो कि 600 करोड़ से ऊपर का जो डेफिसिट फाइनेंसिंग हुआ है उसको नये टैक्स लगा कर पूरा करें। बल्कि जो बेकार के खर्चें छुड़ा, सरकार ने बड़ा रकम है उनको कम किया जाय और डेफिसिट फाइनेंसिंग को कम किया जाय इस के अलावा रेवेन्यू

[श्री कव सात गु 1]

का कचेरान जा प्राज कम हो रहा है उस को धीर बढ़ाया जाय । इस तरह से डेफिसिट पाइनिंग कम हो सकता है । लेकिन मैं ही चाहता कि इस प्रकार जनता पर धीर पैसम लगे । पहले ही काफी पैसम लग गये हैं, धीर पैसम नहीं लगने चाहिये ।

आखिर ये मैं मंत्री महादय को बधाई देना चाहता हूँ कि उन्होंने बहुत बधाई मे कहा, प्रधान मंत्री को भी बधाई देना चाहता हूँ जो कि पहले प्रधान मंत्री है, जिन्होंने कहा कि जनता का इला नहीं चाहिये, जनता को देखिए पार धानिये नहीं होना चाहिये । वह हमारी मालिक है और हम उनसे सेवा है ।

श्रीमती इन्दिरा गांधी और कांग्रेस का राज्य बड़े का राज्य था, महा पर सोय गूने बैठे थे । द्रोपदी का चीर गीचा जा रहा था और महा पर बड़े-बड़े बाड़ा बोन नहीं सजते थे । हम कहते थे कि पारो भी जवान है बोलिरे लेकिन वह कहते थे कि हम बालेगे तो श्री बन्ध गेयर की जगह जायेंगे, माहन धारिया की जगह जायेंगे ।

प्राज जनता पार्टी की दुर्गमन होने के बाद अध्यास महोदय, मेर पास एन लव्या चौडा स्टेटमेंट है, जिसे 14 कांग्रेस के मेनाफो न दिया है । उन्होंने माग की है कि राज्य गांधी और इतने जो कांग्रेस के नेता है, इनको कांग्रेस मे हटाया जाना चाहिये ।

इन शब्दों के साथ मैं वित्त मंत्री महादय का फिर बधाई देना चाहता हूँ जो इतने शानदार तरीक से उन्होंने यह बजट महा पेश किया है ।

SHRI SOUGATA ROY (Barrack-pore) In my maiden speech let me congratulate the Members of the new Government and particularly the Prime Minister, Shri Morarji Desai, and the Finance Minister Shri H. M. Patel.

I understand that our party has been defeated in the Lok Sabha elections This point has been reiterated by many Members of the ruling benches We admit that our party has been defeated, but let them also remember that we are more than 150 Members sitting on this side of the House

The main point is that the Finance Minister, in presenting the Budget, has said that he has not had the time to formulate the policies and philosophies of the new Government It is quite understandable that the party which has been voted to power cannot within such a short time, formulate its policies and we, as a constructive Opposition, will offer our suggestions to the Government to help them formulate their policies The Prime Minister has invited our constructive co-operation and our leader, Shri Y B Chavan has offered the same So, we will help them formulate their new policies, but I want to say that that I expected something more from this Budget This is a drab and dull Budget this is an Accountant's Budget, this is a bureaucrat's Budget, this is not a Finance Minister's Budget. This is a statement of accounts. It could at least have given some sense of direction to the country, his own vision of the future of the country but it holds out no commitment for the future As a young man of this country I would like to know from the Finance Minister what direction he would like the country to take in future

MR SPEAKER This is only a vote on account.

SHRI SOUGATA ROY At least the priorities should have been fixed, but nothing has been done I can understand the reasons for the delay I know that there are those in the ruling party who believe in the philosophy of laissez faire that there are those in

the ruling party who believe in capitalism that there are those in the ruling party who believe in the cow and dung economy that in the ruling party there are fire eating socialists who would like the maximum income to be reduced to Rs 1000 that there are those who want an immediate socialist revolution and that is why he has not come out with any proposals today

But I would like to emphasize that though the Janta Party has been voted to power it should be kept in mind that it has been a negative vote a vote given in anger an emotional vote that it is not a vote against the economic policies of the Congress Government against the public sector against self reliance against socialism against the policies which were being pursued so long. We would like to know from the ruling benches whether all the good work that has been done in the last few years will be reversed whether the nationalisation of banks which was such a revolutionary step in our country is going to be reversed what priorities have been fixed for the public sector by this Government what is being done for the poor agricultural labourers by this Government. Whatever you may say of the 20 point programme at least it laid down the priorities in this country.

These are parliamentary etiquettes. The maiden speech of an hon. Member should not be interrupted. Let them learn parliamentary etiquette. It is all right that people have voted in anger against the Government. It is ultimately their economic problems which need to be solved. If their economic problems are not solved then the people will rise up as one man against this Government. If this Government gives a leeway to smugglers, black marketeers, profiteers and hoarders in the name of freedom and democracy, people are going to stand up against this Government. It is all right that smugglers like Sukur Bakhia and Yusuf Patel have been released. (Interruptions)

I want to say a few things about the new policies. Mr Kanwar Lal Gupta has pointed out that the Janta Party in its manifesto has said that they will introduce an unemployment insurance scheme. I come from a State where the number of educated unemployed is the largest, in this country. I will be the first person to congratulate the Minister if he declares this scheme for all the unemployed in the country. I want to hear in his reply where they are going to introduce this scheme. Mr Madhu Dandavate in spite of all haggling from some colleagues did not declare bonus for the railway men yesterday. It is all right to talk about unemployment insurance scheme but I want to hear from him where he is going to introduce it. I come from a State where the number of unemployed is growing fast.

The last Government had introduced a special employment programme and an additional employment programme for the employees and that programme was initiated by Mr Mohan Dharja who fortunately has become a Minister of Commerce in the new Government. I want to know whether any such employment special programme or additional employment programme is going to be introduced under this Government so that we can have some hope for the future? I want to express my happiness that very responsible people have taken charge of this Government.

Our economy is on a sound footing and the foreign exchange reserves stand at Rs 2800 crores. We do not want these foreign exchange reserves to be frittered away nor do we want cosmetics, lipsticks and other things to be frittered away. We want them to be used for the purpose of taking India towards self reliance. I may submit that India is on the threshold of self reliance as far as economy is concerned. As far as fertilizers and food are concerned we are on the verge of self reliance. Now, a little sophistication on our part of technology, modern

[Shri Sougata Roy]

know how electronics space and a little more know how in our areas of exploration will take the country forward towards self reliance We offer our full cooperation to this new Government If this Government takes some concrete steps our country can go forward towards self reliance It has been already a declared aim of our Government

In this context I want to emphasise that let this Government not open doors to multi nationals who have been eating the life blood of our country These people have repatriated huge profits from our country We want that no more concession should be given to the multi nationals If it has already been done then those concessions should be reduced

Now I want to deal with the situation in the jute industry In my constituency there are 23 jute mills out of 72 in West Bengal Four of them are closed The jute workers have suffered the maximum loss during the last one year and 50 000 workers have been thrown out of employment Still four jute mills are closed in my constituency I hope that the new Government will sanction money for the opening of these jute mills through the IDBI IRCI and other financial institutions

12 00 hrs.

I submit that to solve the basic problems of Indian economy these three industries, jute textile and sugar which are connected with agricultural produce should be nationalised If you want to save the farmers who are producing these cash crops and if you want to save the workers who are working in these three industries, jute textile and sugar, must be nationalised We have seen how at the time of the Bangladesh crisis the magnates of jute industry earned profits to the tune of crores of rupees by under invoicing and over invoicing and they minted money like anything

But when there is a little slump in the jute market, they retrench the jute workers and throw them out of employment Unless we nationalise jute textile and sugar industries these people can get no remedy So I would urge upon the new Government to nationalise these three industries

The new Government has got the goodwill of the people It has got all the goodwill of the Opposition For the first time a constructive Opposition in the House has come into being We hope with the help of the constructive Opposition the Government will take steps which will take us towards self reliance and achieve the objective of socialism which is enshrined in our Constitution which means food clothing and shelter for all the people of India

MR SPEAKER Shri Ishwar Chaudhuri not here Shri L. N Pandey not here Shri Sukhdev Prasad Verma not here

SHRI SHEO NARAIN (Basti) May I make a submission? You have a list before you But some of the Members in the list are not present here We are sitting in the House and we should be called

MR SPEAKER Order, order The list is submitted to me by the party When the list is given to me I call the Members from the list The other Members who want to speak may contact the Minister of Parliamentary Affairs and come through him I cannot throw away the list and call all the Members The list has to come from the party

AN HON MEMBER **

MR SPEAKER It cannot be raised now You wanted to raise it during the Zero hour Where is the Zero hour? I do not know There is no Zero hour I will not allow any Zero hour It will not be recorded You can inform the Minister

about it You cannot raise it whenever you choose It is not possible The House cannot be run like that

Shri Ugrasen

श्री उपसेन (देवरिया) अध्यक्ष महोदय, बिजल इस के कि सामान्य बजट पर मैं अपनी राय जाहिर करूँ मैं अपने वित्त मंत्री का शुक्रिया अदा करना चाहता हूँ कि उन्होंने कम से कम एक बहुत साफ बात कही और यह बताया कि यह जो बजट वितरित किया गया है इस में हमारे दृष्टिकोण, नीतियों और कार्यक्रमों की झलक नहीं है। मैं इसे इतना फाक करता हूँ। मैं अभी सुन रहा था अपने जिगर के टुकड़े, वेस्ट बंगाल के साथी को और इस के पहले मैंने पाडिचेरी के माननीय सदस्य की बातों को सुना। पाडिचेरी में तो गुरु भरविंद का आश्रम है वहाँ से तमाम दुनिया को रोगनी मिलती है लेकिन लगना है माननीय सदस्य सी पी आई के है इन्हें रोगनी नहीं मिली। मैं इन को जानता हूँ। बम्बई में मैंने कम्युनिस्टों के साथ काम किया है। मैं अपने दोनों दोस्तों को लेनिन का एक वाक्य पढ़ कर सुनाना चाहता हूँ। लेनिन ने लिखा है

One struggle is far far better than thousands of programmes

हजारों कार्यक्रमों से एक संघर्ष अच्छा होता है। उन्होंने लेनिन को पढ़ा, मार्क्स को पढ़ा लेकिन वहाँ जवानी जमा रखा नहीं है। हमारे गुरु सोहिया जी कहते थे कि "बोल से वाम मत चलाना, काम से बोल चलाना"। पाडिचेरी के माननीय सदस्य ने कहा कि नौकरी कैसे मिलेगी—यह सवाल मोहतरमा मन्सूर आश्रम, जो कि दिल्ली दरबार में बैठे थी, उनसे पूछना चाहिए था। मेरे गुरु, डा० सोहिया जी ने 1952 में कहा था कि नौकरी देने के लिए भूमि सेना बनाइये, शिक्षा सेना बनाइये, लोगो को उत्तम भर्ती कीजिए, उनको 25-30 रुपया दीजिए और थोड़ी सी जमीन दीजिए। मोहतरमा

के वालिद साहब ने यहाँ दिल्ली में गमलो में खेती शुरू कर दी थी जबकि हम लोग जो उत्तर प्रदेश के पिछड़े इलाके के हैं उनके पास खेत नहीं है।

कहा गया कि राष्ट्रीयकरण होना चाहिए। मैं पूछता हूँ क्या आप पहले सो रहे थे। हमने चिट्ठी लिखी थी डागे साहब को और आप तो उनकी बगल में बैठे हुए थे। इस दश में राष्ट्रीयकरण का कल्ले आम किया गया। मैं आपसे कहना चाहता हूँ कि जनता गवर्नमेंट को बहुत काम करना पड़ेगा। तीस वर्षों में जो राष्ट्रीयकरण किया गया है वह राष्ट्रीयकरण नहीं था वह तो सरकारीकरण था। आप पब्लिक सेक्टर को ध्यान करते हैं। मुद्राईमन्थम साहब यहाँ पर नहीं है। मैं जानता हूँ पब्लिक सेक्टर में पहले घाटा हुआ। मैं जेल में पड़ा करता था कि भिर्साई, दुर्गापुर में भट्ठी टूट गई। भाज मंत्री जी ने उद्घाटन किया और अगले दिन भट्ठी टूट गई।

15 अगस्त, 1947 को क्या हुआ ?

दुप्यत कुमार ने लिखा था।

कहा तो तय था चिरागा हर एक घर के लिए कहा चिराग भयस्वर नहीं गहर के लिए। पड़े बमोज़ तो पावो से पेट डक लेवें।

ये लोग कितने मुनासिब है इस सरकार के लिए।

पाडिचेरी के भरविन्द आश्रम के गुरु जरा हमें बतावें कि तीस वर्षों में क्या किया है। मैं आपसे कहना चाहता हूँ कि इस देश में कोई राष्ट्रीयकरण नहीं हुआ है। सही मायने में राष्ट्रीयकरण के लिए हमारी जनता सरकार को बहुत कुछ करता पड़ेगा।

[१ उभेन]

भाज भाप कहते है कि महगाई भत्ता बढ़ा दिया जाये । मैं नहीं चाहता कि महगाई भत्ता बढ़े । मैं चाहता हू कि दाम बाध दिव जायें । जो चीनी 8 आन किनी बननी है वह 12 आन किनी बिकने के बजाय साडे चार रुपए किनी बिक रही है । बम्बई में ज चार आने गज कपडा बनता है वह उत्तर प्रदेश के पूवाचन में, जहा पर साडे तीन करोड अमायें लोग रहने है, जहा इनमानियत जीने के लिए सरसती है, चार रुपए गज बेचा जा रहा है । ऐसा क्यों ? आपने "मिक मिल" का एक नारा दिया । बडे मिया बडे मिया, छोटे मिया मुमान घन्नाह । बाय्ने इडिया यूनाइटेड मिल की यूनियन में 1945-46 में मैं काम करता था । तब बम्बई में किना हो उत्पादन होना था लेकिन जब वह मिक में मिल हो गई तो करोडों का कर्जा लाद दिया गया । हमने माग की, जेल में चिट्ठी लिखी कि आप मोटा कपडा बनाइए और सस्ता कपडा दीजिए लेकिन आप इडिया छोड बनाकर अरब बन्द में भेज रहे है । आपको विश्व शांति की बडी चिन्ता थी लेकिन इस देश में जो गरीब लोग है उत्तर प्रदेश में, वेस्ट बंगाल में, असम, तेलंगाना और केरल में बहुत में ऐसे इलाके है और तमिल नाडू में भी ऐसे इलाके के साथ है उनके लिए कपडा नहीं बनता है । अब यह बात चलने वाली नहीं है । इसलिए मैं कहना चाहता हू कि आप महगाई भत्ता मत बढ़ायें, आप दामों को बाध दें । दूसरी बात यह है कि जो एयाशी क खर्च है उनको आप बन्द कर दें । पाज तो इनकी मिचा में रिपीजरेटर बन रहे है और एच एम टी की घडिया बन रही है जब कि हमारे मा बाप के पास खाने के लिए नहीं है । इसी सदन में हमारे गुरु डा० स त्रिपा ने आन्डे पेज किये थे, तब इस देश की 43 करोड की भयादी में 27 करोड लोग 2 तीन आने रोज पर गुजर कर रहे थे । साडे 16 ०२ २ लोग

एक हाथा रोज पर गुजर कर रहे थे । 50 लाख लोग 34 रुपए से लेकर तीन लाख रुपया रोज कमा रहे थे । टाटा, बिडला, सिंधानिया, नागरमल मूरजमल, बजाज, घेतान, हगटा चूगटा—यह लोग तीन लाख रुपया रोज ले रहे है । यह जिम्मेदारी है चल्हाण साहब की और उनकी सरकार की । हिन्दुस्तान की 60 करोड जनता के मामले उनको जबाब देना पडेगा । तीन लाख रक्मा रोज बिडला जी कमायें और मेरा बाप साडे तीन आना रोज कमाये । हमारे लॉडिया जी कहा करते थे कि जब हि दुस्मान आजाद होगा तो यहां किसान और मजदूरों का राज्य होगा, यहा पर लोक-भोजन होगा लोक भाषा होगी लोक-भूषा होगी लेकिन क्या हुआ—रेल भवन बन गया, भोजन भवन बन गया, निर्माण भवन बन गया मेरे बाप-दादा ने भी इन भवनों को नहीं देखा होगा, मैं पूछता हू कि इन को क्या जरूरत थी । पांडुपति महोदय इनके बडे बगले में रहते हैं, क्यों रहते हैं ? एक बार हमारे ५० जवाहर लाल नेहरू दिननाम गये, हो-ची मिन्ह साहब से मिलने गये । उन्होंने उन को बान की चट्टाई पर बैठाया । पंडित जी को परेशानी हुई उन का सान घुटने लगा । हो-ची मिन्ह साहब समझ गये कि हिन्दुस्तान के बजारे धाड़म को कुछ खरीक है रही है । उन्होंने कहा— "रहित जी, हमारा देश बहुत गरीब है ।" वहीं बियननाम आगे चल कर किना उचा उठा आप सब जन है ।

धायक महोदय, अब मैं रो-मीन मुझाव देना चाहता हूँ—आप रेपीजरेटर बनाइए मोटा कपडा बनाइए । कालगेट पउडर बनाने की जरूरत नहीं है सस्ती दवायें बनाइए । स्ट्रेडी-माइमीन दवा पब्लिक सेंटर में बनती है उस की मुई 67 आने की होती है लेकिन हमारे यहां 3 रुपये की बिकती है । हिन्दुस्तान के जनता रोटी-नचडा चाहती है सस्ती दवाइए ।

चाहती है। हम को आशीर्वाद दीजिये ताकि हमारी सरकार हिन्दुस्तान की जनता को रटी कपड़ा और मकान दे सके।

अभी इन्होंने यहाँ पर योजनाओं का जिक्र किया। हमारे पाण्डित्यी के नुमाइन्दे साहब ने गंगा और कावेरी के जल को मिलाने का सुझाव दिया। अध्यक्ष महोदय राव साहब मेरे दोस्त थे। मैं शुरू में ही सिंचाई योजनाओं में दिलचस्पी रखता हूँ, इस के बारे में काफी जानकारी रखता हूँ। राव साहब ने मुझ से कहा था—मैं तो चाहता हूँ लेकिन हमारी सरकार ऐसा नहीं चाहती है। न्यूयार्क में पानी के बारे में जो कांग्रेस हुई थी—राव साहब ने बड़े दर्जे परेशानी में वहाँ पर इस आवाज को उठाया था। मैं आप को बतलाऊँ—मूरर की दो योजनाएँ ऐसी हैं जिन से उत्पादन के क्षेत्र में क्रांति हो सकती है—थापरा नदी पर 'करनाली योजना' और रापती नदी पर 'जल कुण्डी योजना'—करनाली पर 450 रुपये खर्च आयेगा और जलकुण्डी पर 300 करोड़ रुपये खर्च आयेगा। अगर इन दो योजनाओं को बना दिया जाय तो उत्तर प्रदेश के पूर्वी क्षेत्र के साठे तीन करोड़ लोगों की विस्मृत खुल जायेगी।

अध्यक्ष महोदय, मैं लोग योजनाओं की बात करते हैं—इन की सब योजनाएँ कागजी हैं। मैं वित्त मंत्री जी से यह कहूँ कि सब से पहले इन की सारी कागजी योजनाओं की होली जलवा दीजिये, जिस तरह से मौसा और डी० आई० आर० की होली जलवाई गई है।

अध्यक्ष महोदय, मैं जब बम्बई में था तो वहाँ मैंने एक विताव पढ़ी थी। यह विताव नेशनल प्लानिंग कमेटी की रिपोर्ट है, जिस के चेयरमैन प० जवाहर लाल नेहरू

थे। यह कमेटी 1938 में बनी थी, 1939 में इस का काम शुरू हुआ—यह काम बीच में रुक गया, फिर 1945 में शुरू हुआ। इस कमेटी के सामने यह सवाल था कि गांव कैसे ब...ए जायें? रूरल हाउसिंग के लिए क्या प्रमेनिटीज दी जायें? लेकिन हुआ क्या? दिल्ली बस गई, लखनऊ बस गया, लेकिन गांव उजड़ गये। यह हज़रत गज है यह चौपाटी है, यह सान्ताक्रूज है, माटुगा है, बरली है—हम जिन चाला में बम्बई में रहते थे, वे आज दिखाई नहीं पड़ते हैं।

नेशनल प्लानिंग कमेटी की रिपोर्ट में साफ लिखा गया है कि गांवों में क्या-क्या सुविधाएँ दी जानी चाहिँ, जैसे—

- 1 एग्रॉव रोड
- 2 फील्ड ड्रैज
- 3 विलेज स्ट्रीट्स एण्ड म्वायर्स
- 4 विलेज बैल्ड, बाघ; और बाश-हाउसेज
- 5 कैंटिल ट्रपस और पाण्डम
- 6 पब्लिक सैनिटरी प्रवेन्जमेन्ट्स
- 7 मीटिंग-हॉल
- 8 प्ले ग्राउण्ड्स
- 9 रिवीजम प्लेसेज
- 10 प्राइमरी स्कूल आदि

आप बतलाइये—गांवों के लिये क्या किया गया है? आज हकीकत यह है कि हिन्दुस्तान के 1 लाख 16 हजार गांवों में पीने के पानी का इन्तजाम भी नहीं है। इस के लिये कौन जिम्मेदार है? हम की फासी होगी या आप की फासी होगी या चव्हाण साहब की फासी होगी, जिस को फासी होगी—

philosophy has proved wrong. Because things like cutting of the earnings of the workers, enforcing CDS, nullifying the Bonus Act and freezing the wages would not work in the Indian economy. 'The Indian economy' has proved that this will not counter the inflation. I would, therefore, appeal to the hon. Minister for Finance to restore the cut in the wages, scrap CDS, nullify the Bonus Act and do away with the freezing of the wages. The workers should be given their fair wages, and the Government employees their arrears of D.A. Let the workers have their share in the production and let us save our land from a disastrous situation.

Some hon. Members from both sides have said that inflation is the order of the day and it is prevalent all the world over. I say that it is a distortion. There is no price rise, there is no unemployment, there is no glut, there is no gloom and there is no recession in many countries of the world. But unfortunately, our country is tagged to the capitalist market mechanism, where we cannot survive without inflation. That is why, we are in a vicious circle.

I would once again submit that in order to check price rise, an efficient public distribution system is very essential. I would request the hon. Minister for Finance to be categorical and not to play a hide and seek game, and say that they would scrap the CDS, nullify the Bonus Act and there would be no wage freeze.

I also strike a role of warning regarding a vital sector of our economy namely, the ports and docks. There you know the situation is very tense because retrenchment is in the offing on the report of the Chatterjee Committee and also a major sector like the port and dock workers are being denied their due wage revision. So, negotiations have to be started in this sector and unless our workers are fully

satisfied and kept content, I feel our economy will be in shambles.

I thank you, Sir, for giving me this opportunity.

***SHRI GOVINDA MUNDA (Keonjhar).** Mr Speaker, Sir, I heartily congratulate the hon. Minister and support the budget, which has been introduced in the House today by Janta Party Government. Sir, you might be knowing that 1978 was a very bad period for Orissa. Because, due to lack of rain for nine months continuously, there was drought in the State. In Orissa, out of 13 districts, there is severe drought in 9 districts. As a result of this Adivasis and Harijans of these nine districts do not get food to eat. During this critical period, Indira Government announced that elections would be held in the country immediately. Sir, it is a matter of surprise that the announcement regarding election came at such a critical moment, when there was no organisation neither of the entire opposition party nor of the Janta Party. People were starving. The Congress wanted to exploit the situation. During election time, Congress Party went to Adivasi and Harijan villages with lakhs of rupees and distributed the money and that was their efficacious weapon during election time. In other words, they wanted to buy votes in exchange for money.

Sir, you might be knowing that I belong to an Adivasi area of Keonjhar district, which is full of mineral resources. There our brothers and sisters work hard as labourers. They refused to vote for Congress this time because it did not pay them the due. When I travelled throughout the district for election campaign as a Janta Party candidate I told them, 'all right, we will fight for you'. Then immediately, Indira Congress announced giving of bonus to those labourers. Nothing of bonus to be considered here, Sir, is one thing to be considered here. Sir, is that if Indira Government was not

[Shri Govinda Munda]

giving bonus to labourers previously then why it was in erected in giving it at the time of election? Sir, here I must appeal to our Government through you that it has to consider the matter with cool head. Instead of giving bonus, Indira Government announced giving houses and buildings. But our brothers and sisters who work hard replied that what they would do with those houses. Could these be cultivated? (Interruptions)

Orissa is pre-eminentely an agricultural state but there are no facilities for agriculture. There is no irrigation and drinking water facility especially in hilly and forest areas of the State. As a result people are facing a lot of trouble which cannot be described in words. The Indira Government could not provide water at any place for 30 years of our independence. What right they have got to rule over the country? And now people are giving reply to that question Sir with all humility I would like to request you that if we are to run the administration of the country then we have got to give up their principles and policies and we will have to act according to our own manifesto. Because Janta Government has come to power, people are now happy and they definitely have faith in the Government. People had assured that they would bring a total change and they did it. Therefore we must thank them. Those who are in the present Government including yourself are able and efficient. (Interruptions)

I am an Adivasi and I know that these Congress people have cheated us like anything. I know Mrs Indira Gandhi herself had visited my area three times. Even she did not spare Juanga Bhuiyan area. (Interruptions) When Mrs. Gandhi first visited Orissa, I was an M.L.A. I am not a new M.L.A. or an M.P. I have been an M.L.A. and Minister in Orissa from 1952 to 1977 and ever since Congress Government have been cheating us. Water supply is the most pressing need in Orissa

now. Otherwise, people will surely die. I know, our Finance Minister is a good man and he will definitely give special attention to Orissa.

Sir generally at the time of elections Government inaugurates the work of different railway lines. Take for instance Jakhapura Baunsagar railway line. Sir it is a matter of great regret that within 30 years of Congress administration the work of the railway line could not be completed. (Interruptions) Sir I am very sorry that no passenger train has started running from Badjanda to Joda Baunsagar. There are so many mines in Orissa and Government earns a lot of revenue from them, which helps the whole country. (Interruptions) But what has Mrs Gandhi done for Keonjhar in Orissa?

Sir I must cite another example i.e. National Highway No 6. It is still lying incomplete. Although we have plenty of resources in the State we Adivasis have been despised and neglected for a long time. Sir more politely I am asking the opposition and more so of Mr Borooah who is the President of the Congress Party, what have they done for the uplift of Adivasis? How many of them have been provided with employment and how many are unemployed? Sir it is my earnest request to our Government to be more active. It should be more organised. It is the proper time to march forward and go ahead. Otherwise these Congress people will again try to suppress us.

श्री राम नरेश कुशवाहा (सलेमपुर)
मध्यम महादय, यह जहरी नहीं होना चाहिये
कि केवल हिन्दी और बंगाली में ही बोला जाए।
बिना की जो मातृभाषा है उसको उस भाषा
में बोलने की छूट होनी चाहिये।

MR. SPEAKER We do not have translation in all the regional languages. It is tape-recorded and the translation of it will be printed. You can read it at a later stage. Anybody

can speak in his mother tongue. There may not be simultaneous translation but it is tape-recorded and later on the translation is printed.

SHRI CHARAN NARZARY (Kohra jhar) Mr Speaker, Sir, I am speaking in support of the financial statement of the hon'ble Finance Minister. The general budget covers a wide range of varied subjects and at the moment I am not concerned with any statistical figures. I only want to make a few observations. The facts and suggestions advanced by the hon Members in this august House will surely help the Finance Minister in preparing the general Budget in a realistic manner so as to serve the purpose of the nation.

Sir, the Budget of the Government is expected to be a people oriented Budget for that can enrich each and every one in the country. Since the present Government stands for the downtrodden people of the country, the voice of the downtrodden people has to be heard by the Government.

I am from the State of Assam and to a certain extent my voice will be the voice from the east because we have to look into the reality and by taking into consideration the different aspects of each nook and corner of the country, the Government's policy has to be formulated.

Of the downtrodden people, I feel, there are two classes—the downtrodden people whose voices are heard and the downtrodden people whose voices remain ever unheard. Even among the downtrodden people there is a difference and now I stand for those downtrodden people whose voices have never been heard by the Government. I belong to the plains tribal group of Assam. The previous Government was banking upon the Scheduled Castes and the Scheduled Tribes of the country by giving high hopes and assurances to those people and for the last 30 years of Independence these law abiding and loyal citizens of the coun-

try expected much of the Congress Government. But their hopes and aspirations have been belied totally. Now since these people want a change in the Government, particularly in the State of Assam, my people supported the Janata Party. I have come here as an independent with the support of the Janata Party and it is to our credit that the Janata Party candidates could come out successful in those constituencies where my people could help them. That is why the hopes and aspirations of the Scheduled Castes and Tribes and other weaker sections of the people have to be taken into consideration while preparing the general budget. The time has now come for the downtrodden people to be united so that they could in a concerted way help the present Government in solving the basic problems of the downtrodden people. What is the basic need of the common people? I believe the basic need of the common people is security. When there is no security, there is no use having a particular system of administration. Security comes first and we have to ensure security for all the people. The downtrodden people in the last 30 years of Independence were frustrated totally and it should be the duty of the present government to infuse a new sense of security in them. Much injustice has been done to those people in the last thirty years of Independence. In the east people do not get even drinking water. If you travel in the interior, in the sub mountain areas in the northern tracts of the Brahmaputra valley along the Bhutan and Arunachal hills, you will see thousands of people going without drinking water. The voice of the people in those regions has remained unheard and their fate is unknown to the outside world. Those areas can be converted into surplus areas if there is a green revolution. The main problem in that region is the problem of irrigation. Several thousands of people have to remain half fed and ill-clad in spite of tremendous possibility of developing the agricultural system for better production of paddy and other crops. People have

[Shri Charan Narzary]
been facing innumerable problems for want of irrigation facilities. This Government while preparing the general budget for the year 1977-78, should definitely take into account that aspect of the problem in that region.

12.38 hrs

[KUMARI ABHA MAITI in the Chair]

The previous government assured that the Scheduled Castes and the Scheduled Tribes people and other weaker sections would be given proper rehabilitation and fullest security. But just on the eve of the proclamation of the Emergency by the Congress Government, thousands of landless tribals were ruthlessly evicted from different reserved forest areas and those people had gone astray for want of rehabilitation. Those people have to be rehabilitated. They do not know what would be their fate. They have become the worst refugees in their own country and the Congress Government in spite of their repeated assurances, could not help those people. We seriously took it up with the State Government and also with the Central Government. Many people died of starvation, many of them have become totally destitute. The Central and the State Governments fully know all these things. Till today the Assam Government is a Congress Government. Those people have been feeling helpless. They were denied of shelter. There is no way out for them. Are they not citizens of the country? I say that these people are as patriotic as any other Indian and in the North Eastern region these people are the defenders of the country. Their region is a sensitive region. We have been playing a vital role to the defence of the country. Whenever a national crisis took place we always played a vital role. That is why I would insist that the present Government should look into all these various aspects of the problems of the North Eastern region of the country. Then only the maxim that the national integration is the basis of our national life will come true. We are the nationalists in the North Eastern region of India. We are as nationalist as any

other Indians. Whenever any national issues cropped up we totally forget ourselves and mingle up with the main stream of the nation. Our leaders say that it is the first and the foremost duty of any Indian to mingle up with the main stream of the national life. We have not denied this but for this a favourable condition should be created so that they can mingle up with the main stream of our national life. I believe that since we have come here with a ray of hope, definitely the present Government will do something concrete for the liberation of the down-trodden people and through you, Madam, at this moment, I would like to make a clarion call to the hon. Members of this House belonging to the Scheduled Castes and the Scheduled Tribes to make a concerted effort so as to help the present Government in taking bold and effective steps for the welfare of those down-trodden people with this appeal I resume my seat.

SHRI GEV MANCHARSHA AWARI (Nagpur) Sir much water has flowed down the Yamuna after our Finance Minister laid on the Table his budget for vote on account. The first and foremost thing to be understood is, there was definitely a very grave economic crisis in the whole world in the form of inflation. Even affluent countries like America, Germany and Japan have reeled under its pressure and there have been spiralling rises in prices and unemployment also. Naturally this economic crisis affected a developing country like India which was trying to become an affluent country. In 1974 we saw a spiralling rise in prices in India. It must be agreed by everyone that in the last two years, the previous government has been able to contain the inflation and arrest the rise in prices. This is definitely one of the best achievements of the previous government, which has been admitted even by the foreign press which has been critical of the previous government earlier. The figures say it. I do not have to say it. The Finance Minister should take this into account. I

would plead that the new Government should rise to the occasion. When a new government takes over it is not the government of a particular party alone it is the government of the whole country. So the good achievements of the previous government should not be simply thrown down the drain because they were achieved by the previous government. I feel that all good achievements of the previous government will have to be taken into account.

The Finance Minister has been rather evasive in his budget speech and he has not betrayed even the trend of the main budget which is to follow. I understand there was very little time to make a whole reappraisal but he could have indicated something about the trend of the new budget. A person of his eminence can indicate even in impromptu words as to what the new budget would be. There is a huge deficit in the budget and there are to my mind only two ways out. The first way is to have a heavy dose of taxation which would be very bad for the poor people. The second way is to cut down the development activities which have been going on in the country. That also would not be in the interests of the nation because many parts of the country are still backward. Therefore it seems the new Finance Minister has to be very careful in re-appraising the whole thing. He has clearly stated that the new government wants to remove inequalities, unemployment and poverty. Looking to all factors one fact remains namely the poor man in this country has to be given some sort of re-assurance and some relief from the heavy burden he has been shouldering. I know the new government believes in Gandhian concepts. One basic Gandhian concept is the idea of "trusteeship". Mahatma Gandhi said that the rich must use their wealth for the welfare of the poor. I would plead with the new government that in the new budget it should be ensured that the common people of the country are as tax free as possible. You may ask if you make the common people tax free how is the deficit to be bridged? I suggest that

the people who are progressively richer should be taxed heavily to cover the deficit which would arise by leaving the common man tax-free. Essential commodities like foodgrains, edible oil etc. have to be provided at cheaper rates. For that the means of production of the essential commodities will have to be nationalised or some sort of arrangement made whereby the trade in these commodities will not be given to the common traders. It has been the practice in this country that when ever there is a *laissez faire* economy and freedom the common traders have always tried to cash on the troubles like natural calamities and made huge profits. This has been the experience of this country all these years. So the new government will have to take steps to see that the means of production in the country especially of essential commodities like foodgrains, edible oils, etc. are either nationalised or some sort of arrangement will have to be made to protect the poor people. This assurance I definitely want from the new Finance Minister.

Another point which was made in the Budget speech by the new Finance Minister was about unemployment. I know employment has been a major factor in this country. But taking into account all the things, there has been a definite improvement in the unemployment situation in this country but much remains to be done. That has been agreed by everyone. You cannot say that the previous Government did not do anything in this regard. Much has been done but still a lot more has to be done. But we want that this unemployment problem should be solved in a way where all the youth of the country would have their participation. I recollect the speech made by an hon. Member from the treasury benches saying that the 20-Point Programme did not include unemployment at all. Yes, it was not included in that Programme as one word but it was said in the Programme that the Apprenticeship Act will be enforced so that all the educated unemployed youth could be given some employment. This was a whole point in the

[Shri Ger Mancharsa Awari]
20-Point Programme And very good schemes were taken up in some of the States

I warn this Government that if in the name of freedom, absolute freedom is allowed in the commercial field, if absolute freedom is allowed to traders of all classes and of all types of people, then I am sure, the trading community might perhaps—some among them who are black sheep—take the opportunity of the freedom and try to indulge in hoarding, black-marketing and all the ills which go with capitalist system.

In our system of economy, complete freedom will not work. I am sure, we will have to nationalise the production of essential commodities or we will have to do some socialisation or some such arrangement.

I think you for allowing me to make my maiden speech in our Parliament today. I also thank the Members for not interrupting me during the course of my speech.

श्री मनोहरलाल (कानपुर) : सभापति महोदय, सबसे पहले मैं आपको धन्यवाद देता हूँ कि आपने मुझे बोलने का मौका दिया। इस सदन में जो बजट प्रस्तुत किया गया है मैं उसका समर्थन करने के लिए खड़ा हुआ हूँ। मैं बल से इस सदन में भाषण सुन रहा हूँ। बल इस सदन में भूतपूर्व वित्त मंत्री श्री सुब्रह्मण्यम ने जो भाषण दिया उसको सुनकर ऐसा लग रहा था कि चुनावों के पहले उन्होंने यह स्पीच तैयार की थी और यह सोचकर तैयार की थी कि इस सेशन में इन्दिरा श्वर्नमंट बनेगी और उसको वे प्रस्तुत करेंगे। यह बड़े ताज्जुब और ख़ुशी की बात है कि हिन्दुस्तान की 62 करोड़ जनता ने श्रीमती इन्दिरा गांधी की बात को नहीं सुना। इन लोगों ने जिस तरह के प्रत्याचार इस देश की जनता पर किए उसके सम्बन्ध में इतना ही कहना चाहता हूँ कि जो प्रत्याचार करता है उसमें ज्यादा दोषी उस प्रत्याचार को सहने वाला होता है। इसमें-मी के बाद जब चुनाव की घोषणा हुई तो हिन्दुस्तान की जनता ने साबित कर दिया और यह बता

दिया कि प्रत्याचार करने वालों के साथ किस तरह का बर्ताव करना चाहिए। जनता ने जो फैसला दिया वह आज सभी के सामने है। जिसके ऊपर प्रत्याचार हो रहे थे वे दोषी लोग जहर थे लेकिन जिस तरह से 62 करोड़ लोगों ने जनता पार्टी का समर्थन करके अपना फैसला दिया है उसका हम स्वीकार करते हैं। जनता पार्टी के रूप में बहुमत बना कर जनता ने हम को यहां पर भेजा है। अब हम लोगों का यह काम है, जनता पार्टी की सरकार का यह काम है कि जो लोग मुजरिम हैं, जो लोग दोषी हैं, उन के साथ किस तरह का बर्ताव सरकार करे—यह हम लोगों की सोचना है। जनता ने अपना फैसला कर के दिखला दिया है, अब वित्त मंत्री जी से मेरी प्रार्थना है कि जितनी चीजें इस कांग्रेस सरकार ने पिछले सालों में बिपाटी हैं हम उन को एक महीने या दो महीने के अन्दर तो ठीक नहीं कर सकते, लेकिन हमें उन दिशा में तैयारी से आगे बढ़ना चाहिए।

मैं बल से सुन रहा हूँ—प्रपोजीशन की तरफ से मुझसे दिये जा रहे हैं कि इस सरकार को चाहिये कि धन-एम्पलायमेंट को दूर करे, इस तरह के काम किये जायें जो जनता के हित से हो। मैं उन से पूछना चाहता हूँ—पिछले 30 सालों में आप ने लगातार इस देश पर शासन किया है, क्या उस दौरान उन को इन बातों का ज्ञान नहीं था कि हमारे देश के अन्दर बेकारी बढ़ रही है, बेरोजगारी बढ़ रही है, भुखमरी बढ़ रही है, उस समय इन समस्याओं को दूर करने के लिये क्या किया? आज जब वे प्रपोजीशन में बैठे हैं, तब उन को ध्यान आया है कि ये समस्याएं बढ़ रही हैं, आज उन को हिन्दुस्तान की 62 करोड़ जनता की याद आई है। आज देश के इन कोने से सुनाई पड़ रहा है कि किस तरह से इस कांग्रेस सरकार ने पक्षपात किया है, किस तरह से लोगों को बरबाद किया है, बेरोजगार किया है। सभापति महोदय, मैं तो यही कहना चाहता हूँ कि पिछले तीस सालों के शासन

13 02 hrs.

The Lok Sabha adjourned for Lunch
till Fourteen of the Clock.

The Lok Sabha reassembled after
Lunch at four minutes past Fourteen
of the Clock

[KUMARI ABHA MAITI in the Chair]

GENERAL BUDGET 1977-78 AND
DEMANDS FOR GRANTS ON AC-
COUNT, 1977-78—Contd

श्री मनोहर साहू : सभापति महोदय, मैं बता रहा था कि पिछले तीस महीने में इन लोगों ने क्या क्या किया है। जो कुछ भी हमारे इन दोस्तों ने तीस साल में किया है, जो ज्यादािया की हैं, उनको नजराना नहीं किया। सत्ता है, उसको मुलाया नहीं जा सकता है। उनकी इस देश को क्या देन है? कौन सा नारा इन्होंने देश को दिया था। इनने दरमा साहब ने कहा था और यह गारंटी दिया था कि इन्दिरा इज इण्डिया, इण्डिया इज इन्दिरा। इन्दिरा को इण्डिया और इण्डिया को इन्दिरा इन लोगों ने समझा और यह इन लोगों की सब से बड़ी देन देश को है। इसी दे. को से कर से लोग आम चुनाव में उनसे थे। देश की जनता की प्रदालत में ये लोग गए थे, चुनाव के दौर में से गुजरे थे। हिन्दुस्तान की 62 करोड़ जनता ने इनको एक करारा जवाब दिया है। न केवल इस नारे को जनता ने ठुकरा दिया है बल्कि ऐसा इतिहास में कभी नहीं हुआ होगा कि एक प्रधान मंत्री जो अपनी कुर्सी पर रहा और जो गृह मंत्री भी रह चुका हो इ को उनसे इस तरह से ठुकरा दिया हो, उसको इस तरह उखाड़ फेंक दिया हो और इस तरह से उसको डीट किया हो जैसे वह कभी प्रधान मंत्री ही न रहा हो या शासन में न रहा हो। यह इस बात का परिचालन है स. है कि तीस साल में इन्होंने हिन्दुस्तान की जनता 62 करोड़ जनता को किस तरह रखा है, मारा है, तोड़ा है, मरोड़ा है और उसको रोने तक नहीं दिया है, उसका धाम तक नहीं निकलन दिए हैं।

माखिलार उसी जनता को निरन कर सामने भाना पडा और इनको उखाड़ कर एक मोर चेंना पडा।

हिन्दू मुसलमान का सवाल भी यह लोग पडा करते रहे हैं, शुरू से ही पडा करते रहे हैं। इज इज एंड रूत की जो पातिली धरोखी ने भाना रखी थी वह इन्होंने भी भानाई, उन पर ये भी करते रहे हैं। जनतप का हीवा पडा करते चुनाव में कांग्रेस के लोग मुसलमानों को भडकाते रहे हैं, उन के बोट इस माध्यम पर हासिल करते रहे हैं। इस प्रश्न से उ 'के बोट पाने के बाद ये सत्तारू हाते रहे हैं। आप पिछले चुनाव को देखें उनके नतीजे को देखें। इनको 38 परसेंट बोट ही मिले पर बाकी जो बोट थे वे मरोड़ो-शन की मिले। 38 परसेंट और 33 परसेंट बोट पाने के बावजूद भी ये अपनी सरकार बनाने रहे हैं। इस प्रकार से इन लोगों ने तीस साल तक राज्य किया है। महब हिन्दू मुसलमानों का सवाल पडा करके और डिवाइड एंड रून की पातिली को भाना कर और जनतप का हीवा पडा करके। इस चुनाव में हिन्दुस्तान के हिन्दुमा और मुसलमान ने जिस एकता का परिचय दिया है वह इस बात का सबूत है कि हिन्दुस्तान की 62 करोड़ जनता एक हो कर रहना चाहती है, वह यह चाहती है कि देश में जनता के वास्तविक प्रतिनिधियों का शासन हो, जनता पार्टी का शासन हो और इसलिए देश की 62 करोड़ जनता ने जनता पार्टी को सत्तारूड कर के भेजा है।

न केवल इण्डिया इज इन्दिरा और इन्दिरा इज इण्डिया का नारा ये लोग देते रहे हैं बल्कि बीस सूची कार्यक्रम के अन्तर्गत कांग्रेस सरकार की जो उपलब्धिया हैं उनकी तरफ भी जनता का ध्यान आकर्षित कर रहे हैं। मैं अपने नौजवान दोस्त से कहना चाहता हू कि वह अपने दिल पर हाथ रख कर पूछें और देखें कि अपने तीस साल के शासन में और विशेष कर पिछले 19 महीने के दौर में

जो व्यवहार सरकार ने जनता के साथ किया है क्या वह वास्तव में इंसानियत की भावना से प्रेरित था, मानवता की भावना से प्रेरित था ? अगर वह इस पर ठण्डे दिल से विचार करेंगे तो मैं समझता हूँ कि आँखों में आसू आएँ वगैरह नहीं रहेंगे। जो जोर जबरदस्ती, अत्याचार इस कांग्रेस सरकार ने इन पिछले 19 महीनों में जनता पर किए हैं वे अत्याचार यहाँ पर अंग्रेजों ने अपने राज्यकाल में नहीं किये होंगे जिन्होंने यहाँ सेकड़ों साल राज्य किया, इस देश को गुलाम बनाए रखा। उन्होंने ह्यूमन राइट्स नहीं छीने, सिविल लिबर्टीज़ नहीं छीनी लेकिन इस कांग्रेस सरकार ने 62 करोड़ हिन्दू, मुसलमान, सिखों, ईसाइयों के इन राइट्स को छीन लिया, ट्रेड यूनियन्स को जो अधिकार थे, उनको छीन लिया, बोनस के अधिकार को छीन लिया, इन भाई साहबों ने 1974 में एमर्जेन्सी किया था उसकी घल गए, उसको तोड़ दिया। मैं वित्त मंत्री महोदय से कहना चाहता हूँ कि जो जो उद्विग्न पिछले 19 महीनों में हुई हैं, जुर्म हुए हैं, उनका सब से पहला काम, सबसे बड़ा काम, सब से नेक काम यह होना चाहिये कि उन पापों को धो दें, उन अत्याचारों को अलग कर दें, उनका निराकरण कर दें। और देश की जनता को बता दिया कि 30 साल में जो भी इन्होंने किया है हम 3 महीने के अन्दर करना चाहते हैं और हमारे दिल में जनता की सेवा की भावना है, न कि कुर्सी पाने की भावना। महात्मा गांधी ने ठीक ही कहा था आजादी के बाद कि कांग्रेस पार्टी का काम खत्म हो चुका है इस को खत्म कर दें। लेकिन किसी। उन की बात नहीं मानी। वह नहीं चाहते थे कि कांग्रेस के लोग शासन में आयें। आज अगर महात्मा गांधी जो जन्दा होते तो 30 साल के इनके नारालामों को देख कर अवश्य प्रायश्चित्त करते।

20 सूत्री और 5 सूत्री कार्यक्रम के नाम को लेकर जनता पर जो जो अत्याचार किये गये उनको कहने छूट उबलता है। नसबन्दी के प्रश्न को लेकर अध्यापकों की तनख्वाह

रोक दी गई, उनको सस्पेंड कर दिया गया और कहा गया कि अगर केसेज नहीं लाओगे तो तुम्हारी तनख्वाह रोक दी जायेगी। अध्यापिकाओं से कहा गया कि तुम भी मोटिवेशन के केसेज लाओ। अब वह महिलायें बेचारी किससे जाकर कहें। इस तरह की बातें कांग्रेस सरकार करती रही। अध्यापिकाओं की तनख्वाह रोक दी गई, उनकी सस्पेंड किया गया।

दूसरी तरफ पांच सूत्री कार्यक्रम के अन्तर्गत पेड लगाने के नाम पर बरबाद किया गया। मैं कानपुर की बात जानता हूँ कि वहाँ 30 लाख रुपये महा-पालिका से खर्च कराया गया सजय गांधी के इशारे पर। मैं जानना चाहता हूँ कि उसका क्या स्टेटस था। हमारे भूतपूर्व रक्षा मंत्री, श्री बंसी लाल ने साथ श्री सजय गांधी कानपुर में पहुँचे और रक्षा उत्पादन प्रतिष्ठान में गये जहाँ कि कोई दूसरा भादमी नहीं घुस सकता है, लेकिन सजय गांधी वहाँ गये रक्षा मंत्री के साथ और जब वहाँ वे लोगों ने रक्षा मंत्री को माला पहनानी चाही तो उन्होंने श्री सजय गांधी की तरफ इशारा कर दिया और माला उनके गले में पहनाई गई। श्री सजय गांधी ने कानपुर सेंट्रल हाउस में मोटिंग बुलाई और वहाँ के डी० एम० से कहा कि 30 लाख रुपये के यहाँ पेड लगावाओ लेकिन आज आपको वहाँ पेड के नाम पर खाली ईंटों के पाले और सड़क पर गड़बड़े मिलेंगे। हमारे कानपुर शहर की तमाम सड़कों को बरबाद कर दिया, आज उन पर चला नहीं जा सकता। इस प्रकार जो पैसा बरबाद किया गया अगर उस पैसे को खेती और सिंचाई के काम पर खर्च किया जाता तो देश की यह हालत न होती।

जनता के साथ 19 महीनों में जो ज्यादतियाँ की गई उनको देख कर घूट उबलता है। जेला में हमारे भाइयों पर अत्याचार किये गये जिनको देख कर, सुन कर आँखों से आसू आ जाते हैं। मैं अधिक विस्तार में

13 02 hrs.

*The Lok Sabha adjourned for Lunch
till Fourteen of the Clock*

*The Lok Sabha reassembled after
Lunch at four minutes past Fourteen
of the Clock*

[KUMARI ABHA MAITY in the Chair]

GENERAL BUDGET 1977-78 AND
DEMANDS FOR GRANTS ON AC-
COUNT, 1977-78—Contd

श्री मनोहर लाल सभापति महोदय, मैं बता रहा था कि पिछले तीन सालों में इन लोगों ने क्या क्या किया है। जो कुछ भी हमारे इन दोस्तों ने तीस साल में किया है जो ज्यादातया की हैं, उनकी मजबूत नहीं किया। इसका है, उसको मुनाया नहीं जा सकता है। उनकी इस देश को क्या देन है? चीन का नारा इन्होंने देश को दिया था। इनके बहमा साहब ने कहा था और वह शर्त दिया था कि इन्दिरा इज इण्डिया, इण्डिया इज इन्दिरा। इन्दिरा को इण्डिया और इण्डिया को इन्दिरा इन लोगों ने समझा और यह इन लोगों को सब से बड़ी देन देश को है। इसी दे को से कर ये लोग भ्राम चुना म उतरे थे। देश की जनता की अदालत में ये लोग गए थे, चुनाव के दौर में से गुजरे थे। हिन्दुस्तान की 62 करोड़ जनता ने इनको एक करार जवाब दिया है। न केवल इस नारे को जनता ने दुहरा दिया है बल्कि ऐसा इतिहास में कभी नहीं हुआ होगा कि एक प्रधान मंत्री जो अपनी कुर्सी पर हो और जो गृह मंत्री भी रह चुका हो इ को उसने इस तरह से दुहरा दिया हो, उसको इस तरह से उछाड़ फेंक दिया हो और इस तरह से उसको टूट किया हो जैसे वह कभी प्रधान मंत्री ही न रहा हो या शासन में न रहा हो। यह इस बात का परिचालन है सार है कि तीस साल में इ होने हिन्दुस्तान की जनता 62 करोड़ जनता को जिस तरह। स है, मारा है, तोड़ा है, मराया है और उसको रोने तक नहीं दिया है, उनको भ्राम तक नहीं निचलो दिए हैं।

आखिरकार उसी जनता को निचल कर सामने आना पड़ा और इनको उखाड़ कर एक और फैसला पड़ा।

हिन्दू मुसलमान का सवाल भी यह लोग खड़ा करते रहे हैं, शुरू से ही खड़ा करते रहे हैं। डिविड एण्ड रूल की जो पालिसी अंग्रेजों ने अपना रखी थी वह इन्होंने भी अपनाई, उस पर ये भी चलते रहे हैं। जनसभ का होना खड़ा करके चुनाव में कांग्रेस के लोग मुसलमानों को भड़काते रहे हैं, उन के बोट इस आधार पर हासिल करते रहे हैं। इस प्रच- से उ के बोट पाने के बाद ये सत्ताह, होते रहे हैं। आप पिछले चुनाव को देखें उसके नतीजे की देखें। इनको 38 परसेंट बोट ही मिले और बाकी जो बोट थे वे भ्रमोर्जन की मिले। 38 परसेंट और 3; परसेंट बोट पाने के बावजूद भी ये अपनी सरकार बनाते रहे हैं। इस प्रकार से इन लोगों ने तीस साल तक राज्य किया है। महज हिन्दू मुसलमानों का सवाल खड़ा करके और डिविड एण्ड रूल की पालिसी को अपना कर और जनसभ का होना खड़ा करके। इस चुनाव में हिन्दुस्तान के हिन्दुओं और मुसलमान ने जिस एकता का परिचय दिया है वह इस बात का सबूत है कि हिन्दुस्तान की 62 करोड़ जनता एक हो कर रहना चाहती है, यह चाहती है कि देश में जनता के वास्तविक प्रतिनिधियों का शासन हो, जनता पार्टी का शासन हो और इसलिए देश की 62 करोड़ जनता ने जनता पार्टी को सत्ताह कर के भेजा है।

न केवल इण्डिया इज इन्दिरा और इन्दिरा इज इण्डिया का नारा ये लोग देते रहे हैं बल्कि बीस सूत्री कार्यक्रम के अन्तर्गत कांग्रेस सरकार की जो उपलब्धिया हैं उनकी तरफ भी जनता का ध्यान आकर्षित कर रहे हैं। मैं अपने मौजूबान दोस्त से कहना चाहता हू कि वह अपने दिल पर हाथ रख कर पूछें और देखें कि अपने तीस साल के शासन में और विशेष कर पिछले 19 महीने के दौर में

जो व्यवहार सरकार ने जनता के साथ किया है क्या वह वास्तव में इन्मानियत की भावना से प्रेरित था, मानवता की भावना से प्रेरित था ? अगर वह इस पर ठण्डे दिल से विचार करेंगे तो मैं समझता हूँ कि भाँखों में भागू घ्राए घाँर नहीं रहेंगे। जो जोर जबरदस्ती, प्रत्याचार इस कांग्रेस सरकार ने इन पिछले 19 महीनों में जनता पर किए हैं वे प्रत्याचार महा पर अंग्रेजों ने अपने राज्यपाल के नहीं किये होंगे जिन्होंने यहां सेकने साल राज्य किया, इस देश को गुलाम बनाए रखा। उन्होंने हमूँमन राइट्स नहीं छोड़े, मिजिल लिक्टॉइज नहीं छोड़ी लेकिन इस कांग्रेस सरकार ने 62 करोड़ हिन्दू, मुसलमान सिखों, ईसाइयों के इन राइट्स को छीन लिया, ट्रेड यूनियन्स को जो अधिकार थे उनको छीन लिया, बोनस के अधिनार को छीन लिया, रूठ घाई था 4 सप जो 1974 में एक्जॉर्मेंट किया था उसको भुल गए उसको तोड़ दिया। मैं वित्त मंत्री महोदय से कहना चाहता हूँ कि जो जो उदितिया पिछले 19 महीना में हुई है, जुर्म हुए हैं, उनका सब से पहला काम, सबसे बड़ा काम, सब से नैक काम यह होना चाहिये कि उन पापा की धो दें, उन प्रत्याचारों को भुल कर दें उनका निराकरण कर दें। और देश की जनता को बता दिया कि 30 साल में जो भी इन्होंने किया है हम 3 महीने के अन्दर करना चाहते हैं और हमारे दिल में जनता की सेवा की भावना है, न कि कुर्सी पाने की भावना। महात्मा गांधी ने ठीक ही कहा था आजादी के बाद कि कांग्रेस पार्टी का काम खत्म हो चुका है इस को खत्म कर दें। लेकिन किसी 1 उन की बात नहीं मानी। वह नहीं चाहते थे कि कांग्रेस के लोग शासन में आयें। आज अगर महात्मा गांधी जो जिन्दा होते तो 30 साल के इनके कारनामों को देख कर अवश्य प्रायश्चित्त करते।

20 सूत्री और 5 सूत्री कार्यक्रम के नाम को लेकर जनता पर जो जो मन्याचार किये गये उनको वहने खून उबलता है। नसबन्दी के प्रश्न को लेकर अध्यापकों की तनख्वाह

रोक दी गई, उनको सस्पेंड कर दिया गया और कहा गया कि अगर केसेज नहीं लाओगे तो तुम्हारी तनख्वाह रोक दी जाएगी। अध्यापिकाओं से कहा गया कि तुम भी मोटिवेशन के केसेज लाओ। अब वह महिलाएँ बेचारी बिससे जा हर रहे। इस तरह को बातें कांग्रेस सरकार करती रही। अध्यापिकाओं की तनख्वाह रोक दी गई, उनकी सस्पेंड किया गया।

दूसरी तरफ पांच सूत्री कार्यक्रम के अन्तर्गत पेड लगाने के नाम पर बरखा रुपया बरखाद किया गया। मैं बानपुर की बात जानता हूँ कि वहाँ 30 लाख रुपया महापालिका से खर्च कराया गया सजय गांधी के इमारे पर। मैं जानना चाहता हूँ कि उसका क्या स्टेटस था। हमारे भूतपूर्व रक्षा मंत्री, श्री बती लाल के साथ श्री सजय गांधी बानपुर में पहुँचे और रक्षा उत्पादन प्रतिष्ठान में गये जहाँ कि कोई दूसरा आदमी नहीं घुस सकता है लेकिन सजय गांधी वहाँ गये रक्षा मंत्री के साथ और जब वहाँ के लोगों ने रक्षा मंत्री को माला पहनानी चाही तो उन्होंने श्री सजय गांधी को तरफ इशारा कर दिया और माना उनके गले में पहनाई गई। श्री सजय गांधी ने बानपुर सफिट हाउस में मीटिंग बुलाई और वहाँ के डी० एम० से कहा कि 30 लाख रुपया यहाँ पेड लगावाओ लेकिन आज आपको वहाँ पेड के नाम पर खाली ईटों के थाले और सड़क पर गड्डे मिलेंगे। हमारे बानपुर शहर की तमाम सड़कों को बरखाद कर दिया, आज उन पर चला नहीं जा सकता। इस प्रकार जो पैसा बरखाद किया गया अगर उस पैसे को खेती और सिंचाई के काम पर खर्च किया जाता तो देश की यह हालत न होती।

जबना के साथ 19 महीनों में जो ज्यादतियाँ की गई उनको देख कर खून उबलता है। जेलों में हमारे भाइयों पर प्रत्याचार किये गये जिनको देख कर, सुन कर भाँखों में आगू धा जाते हैं। मैं अधिक विस्तार में

[श्री मनोहर लाल]

समयाभाव के कारण नहीं जाऊंगा, केवल वित्त मंत्री में निवेदन करूंगा कि आप उन ज दतिया को धो दें ।

कांग्रेस सरकार ने मजदूरों का बोनस का अधिकार छीना । सरकारी कर्मचारियों का डी०ए० वापस लिया, एल०आई०सी० व कर्मचारियों के साथ जो 1974 में एपी टेंट किया था उस को तोड़ा और लोगों को डी०आई०भार०, और एम०आई०एम०ए० का डर दिखा कर डराया गया । मेरी मांग है कि उस एपी टेंट को फिर से लागू किया जावे और एल०आई०सी० के कर्मचारियों को समाज फंडसिलिटीज मिलनी चाहियें जिनके वह हकदार थे । हाजाकि हमारी सरकार पूरी कोशिश कर रही है, जैसा कि वक्त ही इस सदन में रेल मंत्री ने कहा कि रेलवे हड़ताल के समय जो कर्मचारी थिफ्टमाइंड किये गये उनको वापस लिया जा रहा है, इसी प्रकार और श्रेणी के कर्मचारियों के साथ जा नाइत्याफी कांग्रेस सरकार ने की है उसको दूर करना चाहिये । जो हमारे नौजवान दास्त उधर बैठे हुए हैं वह अपने दिल पर जरा हाथ रख कर देखें और बतायें कि जो कुछ हुआ है क्या वह वास्तव में एक इन्तान पर होना चाहिये था ?

हमारे यहां हिन्दुस्तान एक्जामिनेटिव लिमिटेड में प्रोजेक्ट नहीं है, वहां पर काम ही है, आज वहां कर्मचारी बेकार हो रहे हैं । हम चाहते हैं कि सरकार उनको काम दे, प्रोजेक्ट दे जिसमें उनको काम मिले ।

हमारे कानपुर में बैलाश मिल है, लक्ष्मी खन काटन मिल है, स्वदेशी काटन मिल है, उनमें से लोगो को हटाया हुआ है, मालिक लोग लोगो को वापस नहीं ले रहे हैं, बोनस नहीं देते हैं । हमारा कहना है कि उनको बोनस मिलना चाहिये ।

कानपुर में गंगा बाघ बहुत ही आवश्यक है । मई 1971 के चुनाव में श्री राज बहादुर

जी, जो उस समय ट्रांसपोर्ट मिनिस्टर थे, वहां गए थे, उन्होंने वहां पर एक पत्थर लगाकर बाघ बनाने का शिलान्यास किया था । हमने उसी समय कहा था कि पत्थर ज़रूर लगा रहे हैं, लेकिन एक दिन ऐसा ज़रूर आयेगा कि पत्थर को गिरा दिया जायेगा, और वहां कुछ नहीं होगा । आज वह सन् 1971 में लगाया गया पत्थर उधारा कर फेंक दिया गया है । मर नम्पनी फ्रांसिस घोवर ब्रिज बनाने की बात भी उस समय कही गई थी । उस समय श्री कमला पति त्रिपाठी उत्तर प्रदेश के मुख्य मंत्री थे, बाद में वह केन्द्र में आ गये और वहां कुछ काम नहीं हुआ ।

घन में घूस के बारे में भी कुछ कहना चाहता हूँ ।

प्रायः में मैं वित्त मंत्री जी से रिक्वेस्ट करते अपनी बात समाप्त करना चाहता हूँ कि वे बहुत ही उदार हैं और उदार रह कर दीकड़ हम में हिन्दुस्तान की सारी स्त्रीओं को पूरा करने के लिये प्रयत्न करेंगे ।

PROF P G MAVALANKAR (Gandhinagar) Madam Chairman, I rise to support the Vote on Account statement presented by the new Finance Minister, my esteemed friend Shri H. M. Patel. The Vote on Account Statement which he has presented very rightly states that it is only an interim and tentative statement almost an arithmetical exercise entered into and that the country will have to wait until he is able to produce a first-rate, full-length budget not only outlining the Janata Government's policies and programmes but incorporating Mahatma Gandhi's attitude towards the economic uplift and betterment of the teeming millions of our great motherland. I want to say that the Finance Minister, and earlier also his colleague and my good friend the Railway Minister Shri Dandavate, have both shown a certain sense of purpose and determination and have expressed themselves in clear and unmistakable terms. While

congratulating both of them for their very brief but prompt presentations to this new Hon House, may I also sound a word of caution that now the people's expectations have been raised tremendously and that time is running rapidly, and so my colleagues and members of the new Government and, indeed, the whole House will have to devote themselves to their new tasks with a lot of rethinking and bold thinking in a comparatively short time I am sure, Madam Chairman, that Mr H M Patel will be able to look after the implementation aspects also, of the economic policies and programmes for this vast country when he produces the Budget, perhaps next month

Now the people's verdict has come and it has come as a tremendous revolution. In no other country of the democratic world—not even in Britain in the last 750 years and in America in 200 years or more—have they shown the kind of robust commonsense and political wisdom that our teeming millions described as illiterate, but in reality, politically very astute and wise, have shown this time. They have changed a rotten, corrupt and discredited Government and have brought into the forefront a new Government with new expectations. This has been a unique revolution in the entire democratic world—unique in the sense that this has raised the prestige of our whole nation among all democratic countries, and even the United States and Britain are looking at us with a sense of awe, respect and admiration [and, admiration, because of what they could not do during the last several decades or centuries] for what the teeming millions of this country, illiterate but cultured, sensible and sensitive good souls, have done in terms of a revolution. I therefore want to salute first of all my motherland and the teeming millions whom I know directly and indirectly. I want to salute them and to convey my 'abhinandan' to them and offer 'vandanam' to them for what they have done in regard to this great

revolution. It was an English Historian Sir John Seeley who had said that a General Election is a kind of a peaceful revolution, but this last, sixth General Election in India has been the first extraordinary one which has shown that the Indian people can replace a rotten Government by a good Government through the ballot-box and non-violence and not through bullets and violence. That was the path of Mahatma Gandhi and we are grateful that that path has been followed by the people.

Further, I want to say that the people's aspirations have been aroused and peoples expectations have been aroused in fact it has been an explosion of people's expectations universally in the whole country. Let us not make a mistake, let us make a distinction between peoples aspirations and politicians' ambitions. Each one of us in this House is to a greater or smaller degree, a politician. Politicians of late have been discredited in our country because of abuse of power by several politicians of the Congress Party who converted the 'government for the people, of the people, by the people into the 'government for the Congress politicians of the Congress politicians, by the Congress politicians'. As a result, the entire tribe of politicians has been discredited. But let us remember that we politicians must heed words of caution which History and time give us, and rise above our levels and see that we act as one whole team, both individually and collectively, in this House and outside—and that we do not behave as self-seeking politicians but act as statesmen looking towards a new generation. Therefore, let us make this distinction between people's aspirations and politicians' ambitions and let us hope that the politicians will rise to the occasion and each one of us will see that we attune ourselves 100 per cent with the aspirations of the common man.

My friend from Assam has said in the debate earlier that the teeming millions of commoners in this country

[Shri P. G. Mavalankar]

were so far silent and dumb but thank God their voice is now being gradually heard. Let us hope that the commoners' voice will be heard and that their demands will also be met as early as possible.

Therefore I am trusting with confidence that the Janata force and not only the Janata Party force (because after all, however great a Party may be the Janata force is greater than any Party) will assert itself. The present Opposition used to say 'India is Indira and Indira is India'. The word 'Party' has come from the word 'part' and you cannot equate a part with the whole and the whole is the nation. Not only the people of yesterday and today but the Indian people of tomorrow are also there. Let us see that the Janata force acts as a constant, clear and conscious watchdog on all our sayings and doing here and outside.

I am sorry that Shri C. Subramaniam, the Finance Minister of the erstwhile Government is not present here and that the Leader of the Opposition is also not present. I am surprised that Shri Subramaniam and his colleague Shri George tried to create a division between the north and the south. But this country is indivisible and no Minister or ex-Minister can talk in terms of this part of India and that part of India. India is ultimately one indivisible nation.

Then, again, Shri Subramaniam's speech was amazing and equally amusing. His narration of the apparently illusory achievements during the Emergency to say the least is an exercise in futility. Even assuming that the argument of Shri Subramaniam was right and that there were some achievements or some gains during the emergency (I am taking this only as a matter of argument) I would like to ask him, in all humility,

but with all the force at my command, at what cost these so-called achievements were made? They were at the cost of human dignity at the cost of human freedom. The Congress Government had during the Emergency kept 200,000 and more people in jail, they had put two crores and more of people and their families in distress. The entire nation was enslaved and brought into conditions of deepest possible slavery and bondage which even the British days of India never saw. I say this with great disgust. With all these ugly events, the present opposition Members had the guts and the face to say that they had achievements to their credit! They should be ashamed of these things. At least they should have kept quiet and silent. But the tragedy is I am sorry to say so that the Congress Party which is now on the Opposition benches is in no mood to unlearn their past deeds and in no mood to learn afresh. If they cannot know how to unlearn their past deeds, and how to learn afresh the new requirements, the new challenges, the new compulsions of political and spiritual democracy of this country then I am sorry for that Opposition. Even if it is numerically strong even if that Opposition has come for the first time, as an official Opposition in this House that Opposition cannot be strong merely in terms of number they will have to be humble. That is why I am equally distressed when Mr. George, an erstwhile Minister of the Congress Government says that people gave votes on emotions and that they were unthinking people. Mr. George forgets that the same people gave them the majority in 1971. At that time the people were not unthinking, but now that that Party has been dismissed from power, he calls the people unthinking! I am glad that people have dismissed them from power and that the people did not dismiss them or eliminate them completely from this House. It is good to see some of them back in the House. But to say that people had voted on emotion and not on reason is to insult the people of this country. The electorate

of this country, though it may be illiterate, is not politically immature or politically unwise. It has been fed by Mahatma Gandhi, it has been fed by Lokamanya Tilak, it has been fed by Lala Lajpat Rai, it has been fed by Deshbandhu Chittaranjan Das, it has been fed by Motilal Nehru and Jawaharlal Nehru, and this electorate has shown in no unmistakable terms that people can act, and react both intellectually and emotionally. But I would say one more point to Mr George and his colleagues on the Opposition benches. Even if people have voted as a matter of reaction in terms of emotion, I want to ask them whether the people were not justified in showing that emotion. That emotion was justified in every single way because the manner in which the Indian people were humiliated and scores of excesses and atrocities perpetrated on them during the Emergency has no precedent, whatsoever, in any part of the civilized world—at any time in this country's history or in the history of any other country in the world. The deepest possible humiliation was inflicted on the Indian people, the deepest possible humiliation was inflicted on the Indian nation, the deepest possible humiliation was inflicted on the Indian culture, the deepest possible humiliation was inflicted on the Indian heritage. Are they to stand and tell us now that they are a responsible Opposition? I hope, they become at least a humble Opposition, an Opposition which will learn from the verdict of the people. Mrs. Indira Gandhi and her Party said that Parliament was supreme and they amended the Constitution and crushed the people. Really speaking, on the top of Parliament of India is the Constitution and on the top of the Constitution, are the people. Mrs. Indira Gandhi did the other way round. She crushed the people, twisted the Constitution and made Parliament a subservient body.

I was telling last year in this very House that God would not pardon these people for the sins they had committed, and God, through the voters of this country, has not pardoned

them for the sins they have committed during the Emergency.

I want to conclude by saying this. We know that the Finance Minister had no time to go into the economic policies and programmes. But I hope that he will be pragmatic and that ideological and doctrinaire considerations alone will not thwart the path of the new Janata Government in bringing economic progress.

Finally the acute problems of rising prices, of inflation and of deepening poverty will have to be solved in a spirit of dedication, and with intelligence, understanding, humility and truthfulness. Mahatma Gandhi's eternal message is as fresh and meaningful as ever. Governments functioning and style will have to be full of simplicity, economy and integrity. Before taking the oath here, we had gone to Rajghat, Mahatma Gandhi's Samadhi, on 24th March morning and taken a pledge, I was one of those who had gone there. I told the spirit and Soul of Mahatma Gandhi: 'As elected representatives, we want to learn and practise from you an ounce of truthfulness and integrity in public life'. At the time of Mrs. Indira Gandhi's Prime Ministership, the standards of public life and the values of public life were debased. We have to lift them up now, we have to lift the entire nation. Let us not forget that pledge.

I am very glad, Mr. H. M. Patel, ended his very finely worded short speech by saying:

"The House may rest assured that we shall keep our faith with the people."

There cannot be a better sentence than this. The Finance Minister says that the House may rest assured. The Finance Minister has given this solemn assurance on behalf of the entire House, not only on behalf of the majority Party, but on behalf of the whole House, that they will keep their faith with the people. Therefore, if we are true to the people, if we are selfless, if we are principled and if we are full of ideas and idealism as shown to us by Mahatma Gandhi,

thirty years Previously, Shrimati Indira Gandhi used to say that the Opposition was not responsible, and probably that is why, Lord has so ordained that we are in power today and they are in Opposition We would see now how responsible they are

I would like to congratulate the Minister of Finance for his budget and would request him that while they get time they must look at Orissa and see that there is no regional imbalance which had been the order of the day during the Congress Government In Orissa we do not have much railway We also want a fertilizer factory, a ship building industry and a second steel Plant I would be enumerating the demands of the people gradually when occasions will arise

श्री सारंग साय (सरगुजा) सभापति महोदया, मैं मध्य प्रदेश के पूर्वी किनारे से एक सुरक्षित सीट से आया हूँ। जैसा अभी हमारे भासाम ने एक भाई ने भारत के पूर्वी किनारे में रहने वाले लोगों में निराश करने वाले भाइयों के बारे में कहा, मैं भी मध्य प्रदेश का होने के नाते या या कहूँ कि भारत के बीच के हिस्से या उसके आसपास रहने वाले आदिवासियों और हरिजनों के बारे में कहना चाहता हूँ। आज उन लोगों के सम्बन्ध में हमारे देश के शासन की उचित दृष्टि से सोचना होगा। पिछली कांग्रेस सरकार ने रेडियो और प्रखेयारा से उनको नाना प्रकार की सुविधायें प्रदान की, लेकिन ये सुविधायें उन तक इस तरह से पहुँचती थी, जैसे किसी ने अपने खेत में गेहूँ बोया और नहर के द्वारा उसकी सिंचाई की जा रही है, लेकिन उस नहर में इतने छेद हो कि नहर का पानी खेत तक पहुँच ही नहीं सका, अब उस खेत में गेहूँ का क्या हाल हुआ होगा, आप उसको समझ सकते हैं। उसी तरह से इस देश के आदिवासी और हरिजनों के लिये चाहे जितनी भी सुविधायें दी गई हो या अभी तक दी जा

रही हैं, उन तक नहीं पहुँची और आज भी हमारे देश के आदिवासी और हरिजन उसी स्थिति में हैं जिस स्थिति से आज से बीस साल पहले थे।

मैं आप सब बन्धुभा और इस माननीय सदन को यह भी अवगत कराना चाहता हूँ कि हमारे मध्य प्रदेश में आज भी कोई ऐसा जिला नहीं है जहाँ हमारे आदिवासी नगे न रहते हों। मुझे बड़े दुःख के साथ कहना पड़ता है कि इन तीस सालों के अन्दर हम उनको एक चियड़ा भी नहीं दे पाये हैं। हमारे प्रदेश में 17 ऐसे जिले हैं जिन में हरिजन और आदिवासी लोग अधिक संख्या में निवास करते हैं। जहाँ तक मेरी जानकारी है—मैं मध्य प्रदेश के सरगुजा क्षेत्र से आया हूँ और स्वयं भी एक आदिवासी हूँ—कांग्रेस सरकार की ओर से जो सुविधायें हम को दी गईं वे हम तक नहीं पहुँची। हमारे जितने जिले हैं वे सब आज भी पिछड़े हुए हैं। आवागमन और यातायात की दृष्टि से आज भी इन 17 जिलों की 95 प्रतिशत से अधिक जनता ने रेल तक नहीं देखी है, रेल से सवारी करने की बात तो बलग है। हमारे सरगुजा क्षेत्र में एक छोटी-सी रेल लाइन गई है, उससे हमारे जिले का मुख्यालय—प्रम्विकापुर—केवल 14 मील है, लेकिन वहाँ तक भी वह नहीं पहुँच पाई है, शायद इस लिये कि यदि वह मुख्यालय तक पहुँच जायगी तो कुछ ज्यादा लोगों को उस की जानकारी हो जायेगी। उस जिले के विश्रामपुर से बिहार को जोड़ने के लिये एक लाइन की योजना बनी थी, उस का भय-वर्क भी पूरा हो चुका था, लेकिन उस को पूरा नहीं किया गया। हमारे आदिवासियों की एक खूबी है—वे लोग चिल्लाना नहीं जानते, वे गड़बड़ नहीं करना चाहते, वे जिस का साथ देना चाहते हैं दिल से देते हैं और उस पर विश्वास रखते हैं। इसीलिये मुझ से पहले जो भाई यहाँ सदस्य थे उन्होंने इस बारे में कभी भावाय नहीं उठाई, इसी लिये कांग्रेस सरकार का ध्यान उस तरफ नहीं गया।

[Shri P G Mavalankar]

as shown to us by God I am quite sure that the path will be well lighted we will have no difficulties or obstacles come what may we shall survive all the problems and make this a good and deserving Government and I am sure people will shower praise and admiration on this Government for the policies which I hope they will give in the next couple of months and years

SHRI SARAT KUMAR KAR (Cuttack) Madam Chairman I rise to support the on account budget presented by the hon Minister for Finance When I was listening to the ex Finance Minister Shri C Subramaniam, I was reminded as if I was listening to the All India Radio or All India Radio during emergency He was praising sky high the past performances of Congress government but in actual practice, it was just the reverse We were repeatedly told during emergency that there should be more work and less talk but the vice versa was done that is less work and more talk.

During the short time at my disposal, I would like to draw Government's attention to the regional imbalances in respect of certain States like Orissa Hundreds and hundreds of foundation stones had been laid but no project had been completed and the people of Orissa, according to the then government's statements have remained as a poor State Seventy five per cent of the population is below poverty line So far nothing has been done in spite of the fact that Orissa is full of natural resources Compared to other States, Orissa has a sea coastline almost one-fourth of the entire country it has one-third of the forest wealth and one fourth of the mineral resources Its population is, however one thirtieth This shows how rich the State is. If we exploit the natural resources of Orissa in a systematic way we can build up this State like Japan and West Germany I am reminded of the ancient history of Orissa where it was recorded that the Oriyas were the pioneer mariners

and traders of India Ancient Sanskrit purans stated that the Kalingas Sahasika i.e the people of Kalings were courageous. But the present Orissa has remained poor due to utter negligence Unfortunately nothing has been done in this State only the foundation stones have been laid and the projects left uncompleted

Shri Sanjay Gandhi was all the time saying grow more trees but the fact remained that in order to welcome him, lakhs and lakhs of sal and teak-wood trees were cut, to make welcome gates and barricades for him. So these are all sheer contradictions of their utterances I have no time to enumerate them here today I would only like to remind the hon. Minister of Finance of the expectations of our people which should not be betrayed as it happened during 1967 to 1977 the Indira decade We cannot unmake within a few years what has been done during the last thirty years We cannot make up thirty years of unpreparedness within a short period, but we must assure our people of only two points, not the so called twenty-five points or the pointless slogans. First there would be a job for every individual and secondly at least two stomach full meals for everybody To begin with that should be our approach for the time being For this job and bread we will not surrender nor exchange our freedom.

During the last twenty months of emergency we have been repeatedly told that the railway trains have been running in time and that the industries are running efficiently but that does not mean that for that a nation should be made slave I am reminded of Hitler who said that a lie told a hundred times can become truth That has been the line of approach of the Congress Government.

AN HON MEMBER It is not Hitler but his Minister Goebbels.

SHRI SARAT KUMAR KAR All right, but Hitler was following that

We have heard enough of promises through All India Radio during these nineteen months, there were however no achievements We have wasted

thirty years Previously, Shrimati Indira Gandhi used to say that the Opposition was not responsible, and probably that is why, Lord has so ordained that we are in power today and they are in Opposition We would see now how responsible they are

I would like to congratulate the Minister of Finance for his budget and would request him that while they get time, they must look at Orissa and see that there is no regional imbalance which had been the order of the day during the Congress Government In Orissa we do not have much railway We also want a fertilizer factory, a ship building industry and a second steel Plant. I would be enumerating the demands of the people gradually when occasions will arise

श्री सारंग साय (सरगुजा) सभापति महोदया, मैं मध्य प्रदेश के पूर्वी किनारे से एक सुरक्षित सीट से आया हूँ। जैसा अभी हमारे आसाम के एक भाई ने भारत के पूर्वी किनारे में रहने वाले जगहों में निवास करने वाले भाइयों के बारे में कहा, मैं भी मध्य प्रदेश का होने के नाते या या यह कि भारत के बीच के हिस्से या उससे आसपास रहने वाले आदिवासियों और हरिजन के बारे में कहना चाहता हूँ। आज उन लोगों के सम्बन्ध में हमारे देश के शासन को उचित ढंग से सोचना होगा। पिछली कांग्रेस सरकार ने रेडियो और अखबारों से उनको नाना प्रकार की सुविधायें प्रदान की, लेकिन ये सुविधायें उन तक इस तरह से पहुँचती थीं, जैसे किसी ने अपने खेत में गेहूँ बोया और नहर के द्वारा उसकी सिंचाई की जा रही है, लेकिन उस नहर में इतने छेद हों कि नहर का पानी खेत तक पहुँच ही नहीं सका, अब उस खेत में गेहूँ का क्या हाल हुआ होगा, आप उसको समझ सकते हैं। उसी तरह से इस देश के आदिवासी और हरिजनों के लिये चाहे जितनी भी सुविधायें दी गई हो या अभी तक दी जा

रही हैं, उन तक नहीं पहुँची और आज भी हमारे देश के आदिवासी और हरिजन उसी स्थिति में हैं जिस स्थिति से आज से बीस साल पहले थे।

मैं आप सब बन्धुओं और इस माननीय सदन को यह भी अवगत कराना चाहता हूँ कि हमारे मध्य प्रदेश में आज भी कोई ऐसा जिला नहीं है जहाँ हमारे आदिवासी नगे न रहते हों। मुझे बड़े दुःख के साथ कहना पड़ता है कि इन तीस सालों के अन्दर हम उनको एक चियड़ा भी नहीं दे पाये हैं। हमारे प्रदेश में 17 ऐसे जिले हैं जिन में हरिजन और आदिवासी लोग अधिक संख्या में निवास करते हैं। जहाँ तक मेरी जानकारी है—मैं मध्य प्रदेश के सरगुजा क्षेत्र से आया हूँ और स्वयं भी एक आदिवासी हूँ—कांग्रेस सरकार की ओर से जो सुविधायें हम को दी गईं वे हम तक नहीं पहुँची। हमारे जितने खिले हैं वे सब आज भी पिछड़े हुए हैं। आवागमन और यातायात की दृष्टि से आज भी इन 17 जिलों की 95 प्रतिशत से अधिक जनता ने रेल तक नहीं देखी है, रेल में सवारी करने की बात तो बलग है। हमारे सरगुजा क्षेत्र में एक छोटी-सी रेल लाइन गई है, उससे हमारे दिले का मुख्यालय—अम्बिकापुर—केवल 14 मील है, लेकिन वहाँ तक भी वह नहीं पहुँच पाई है, शायद इस लिये कि यदि वह मुख्यालय तक पहुँच जायगी तो कुछ ज्यादा लोगों को उस की जानकारी हो जायेगी। उस बिन्दु के बिनामपुर से बिहार को जोड़ने के लिये एक लाइन की योजना बनी थी, उस का अर्थ-वर्क भी पूरा हो चुका था, लेकिन उस को पूरा नहीं किया गया। हमारे आदिवासियों की एक खूबी है—वे लोग बिसलाना नहीं जानते, वे गडबड नहीं करना चाहते, वे जिस का साथ देना चाहते हैं दिल से देते हैं और उस पर विश्वास रखते हैं। इसीलिये मूस से पहले जो भाई महा सदस्य थे उन्होंने इस बारे में कभी आवाज नहीं उठाई, इसी लिये कांग्रेस सरकार का ध्यान उस तरफ नहीं गया।

[श्री लारग मान]

मैडम चेयरमैन, वहाँ पर यह प्रभाव न उठने का कारण आज वह रेल बन्द हो गई है। वही जगह रेलवे क्वार्टर्स बने हुए हैं और नदियों मपीनर्स खड़े हुए हैं लेकिन वह प्रायाम समाप्त कर दिया गया है।

आज पूरे देश में एव परिवर्तन आया है और उस परिवर्तन में हमारे आदिवासी और हरिजन भी पीछे नहीं रहे हैं। 30 साल तक कांग्रेस सरकार ने तरह तरह का प्रयास कर के हम लोगों को गुमराह किया है और भ्रष्टाचार में रखा है। इस बात को हम जानते हैं और आज उसके देश के साथ हैं। जैसा कि हमारे पासम का एक भाई ने कहा, हम भी देशभक्त हैं और वही तक देशभक्ति का स्वागत है हम किसी से पीछे नहीं हैं। आज देश में जो परिवर्तन आया है, उस में भी हमारे आदिवासी भाई किसी से पीछे नहीं रहे हैं और इस परिवर्तन में उन्होंने साप दिया है क्योंकि उन को भी कष्ट हुआ था।

जहाँ तक परिवार नियोजन का सवाल है, अगर सारे भारत में निवास कर देखे जाए, तो यह पता चलेगा कि जो नमबन्दी हुई है, उस में अधिक संख्या में नमबन्दी आदिवासियों और हरिजनों की हुई है। हमारे मध्य प्रदेश में नहीं उन लोगों के लिए जवाईयों की कोई व्यवस्था की और वहाँ पर कई जिलों में जो भारीघात हुए हैं, उन के कारण बहुत से लोगों की मृत्यु हो गई है। उन लोगों की देखरेख अच्छी तरह से नहीं हुई है। वहाँ पर आदिवासियों को भ्रष्टाचारियों का सामना करना पड़ा है। मैं इस नई जनता सरकार से यह उम्मीद रखता हूँ कि जिस प्रकार से 30 वर्षों तक कांग्रेस सरकार ने आदिवासियों को भ्रष्टाचार में रख कर त्रासदा उठाया है और हम से बोट छिनी रही है, उसी प्रकार से यह नई सरकार नहीं करेगी और उन की भलाई के काम करेगी।

इस के साथ साथ मैं यह भी निवेदन करना चाहता हूँ कि आदिवासियों और

हरिजनों को जो भी सुविधाएँ दी जाए, उस में देखा यह होगा कि वे सुविधाएँ ठीक ढंग से उन तक पहुँच रही हैं या नहीं। वहाँ तक सहयोग देने की बात है हम सरकार को पूरा सहयोग देंगे। अभी तक आदिवासी समाज और हरिजन समाज शोषित होता रहा है और कांग्रेस सरकार, जिस प्रकार उन का शोषण किया है, उस को बताने की स्थिति में मैं इस समय नहीं हूँ क्योंकि उस में बहुत अधिक समय लगेगा और उस शोषण को जनता ने बता ही दिया है और दिखा भी दिया है। मैं आप से कहना चाहता हूँ कि जो सब तक शोषण होता रहा है, उस की समाप्त किया जाए।

एक तरफ तो कांग्रेस सरकार हरित क्रान्ति का नारा लगा कर कहती थी कि अधिक भद्र उपजाऊ और दूसरी तरफ आदिवासियों की अच्छी जमीन, जिस की उन्होंने मेहनत करके भस्म बनाया था, लेकर उन की जगहों में जाने की मजबूर कर देती थी। लगान का मामला आप से लीजिए। जितना सही लगान बनता था, उस से वही ज्यादा उन से वसूल किया जाता था और कर्जों का यह ढाल था कि जिन लोगों को कर्ज दिया जाता था उन से तो वसूल हुआ ही लेकिन जिन्होंने कर्ज नहीं लिया था, उन से भी वसूल कर लिया जाता था। आदिवासियों से कागजों पर दस्तखत करा लिये जाते थे जबकि कर्ज नहीं दिया जाता था और बाद में वह वसूल कर लिया जाता था। अगर यहाँ दिल्ली में बैठ कर आप यह सोचने लगेंगे कि आदिवासी और हरिजन समाज इस तरह की बातों से भ्रष्ट चढ़ जाएगा, तो यह नामुमकिन होगा। इसलिए मैं शासन में निवेदन करना चाहता हूँ कि आदिवासी और हरिजन समाज के प्रति सहानुभूतिपूर्वक विचार करने हुए, उन को भ्रष्ट बढाने के लिए आप को प्रयास करना होगा।

जहाँ तक नौकरियों का सम्बन्ध है, आज तक शासन ने 16 प्रतिशत और 22 प्रतिशत

स्थान देने के लिए भी प्रयास नहीं किया है और यह जो प्रतिशत सुरक्षित रखा गया था, वह किसी भी प्रदेश में पूरा नहीं हुआ है मैं नई सरकार से उम्मीद करता हूँ कि यह जो कमी रह गई है और जो प्रतिशत पूरा नहीं हुआ है उस को यह नई सरकार पूरा करेगी, ऐसी हम नई सरकार से अपेक्षा रखते हैं। कांग्रेस सरकार इस को करना चाहती थी लेकिन वह एक अलग भावना रखती थी। वह हम को समाज से अलग समझती थी। इसलिए हमारे साथ कोई प्रेम नहीं था। इसीलिए इस काम में ज्यादा तरक्की नहीं हुई। आज हम नई सरकार से उम्मीद करते हैं कि वह हमारे लिए कुछ काम करेगी क्योंकि हम भी समाज के एक अभिन्न अंग हैं। वह प्रेमपूर्वक और सहानुभूति-पूर्वक हमारी सहायता करने में तैयार होगा।

इन शब्दों के साथ मैं अपनी बात समाप्त करता हूँ।

SHIRI BASHIR AHMAD (Fatehpur)
Madam Chairman I will place before you certain facts in regard to what the Government had done during the last 30 years especially during the period of emergency. The Opposition has been boasting of the so-called achievements made during the last 30 years. I will respectfully say that the past 30 years have given only blood and tears to the people of this country.

I will narrate a few events showing what the Government has done during the period of emergency—

False cases were lodged against our leaders. They were put behind the bars on false pretext under DIR and MISA. The Maintenance of Internal Security Act was applied without giving opportunity to the people to plead their case. It was the former Prime Minister who wanted to saddle herself in power after violating the provisions of the Constitution and the verdict of the High Court.

During this period of mis-rule of 30 years they wanted to divide the two

major communities of this country, the Hindus and the Muslims, by creating communal disturbance in this country. The rights and liberty of the people were done away with.

During these last 20 months of this emergency on the basis of compulsory sterilization firings were resorted to at Turkman Gate in Muzaffargarh, Sultanpur and various other places. Human beings lost their lives and blood was flowing like water and there was no opportunity granted to anybody to defend himself. Lives of the innocent people were taken.

The whole present financial position of this country is due to the misrule of the Congress Government especially during the 20 months of emergency. I dare say that the atrocities committed in the garb of compulsory sterilization, Defence of India Rule and the Maintenance of Internal Security Act are unparalleled in the history of the world. Even the worst dictators like Hitler, Mussolini and others have not dared to commit the sins which have been committed by the Ex Prime Minister and her son.

Bull dozers were used to demolish the buildings without any authority of law. Bullets were fired. Men were treated just like animals and were compulsorily sterilized.

The farmers had to leave their fields for fear of sterilization and MISA. There was economic stagnation of the poor. Teachers had to leave their service. Government officers had to proceed on leave. The entire financial position of these poor people was lost. There was nobody to inquire into these things.

The House is aware of the episode of Turkman Gate. The blood on the walls reminds us of the tyranny committed by the Government. The tyranny committed by the Government in the last 20 months reminds us of the tyrannies committed by Chengiz Khan and Haisku. Innocent persons were confined to jail. Even respectable persons were not spared.

[Shri Bashir Ahmed]

I can narrate the events showing that the lives of young and talented men were taken. Children were turned orphans. Women were turned widows. They are still living like destitutes and refugees. Lakhs and lakhs of persons have turned refugees. Their houses have been demolished—having been bulldozed.

I will respectfully say that our Finance Minister should take a note of this situation. The Opposition has no courage to deny all these facts.

Lakhs of rupees were spent on the visit of Sanjay Gandhi to various places specially in UP, Bihar, Punjab and Haryana. From what source has that money come? He was a private individual. I know under the Constitution there is no provision of money for unofficial visits. The taxpayers' money should not have been spent on the visits of Mr. Sanjay Gandhi. Crores of rupees have been spent on his visits. I will request my Government and the hon. Finance Minister to institute an independent inquiry. Rather a commission of inquiry should be instituted and the Chief Ministers who have spent moneys in this manner should be personally held responsible for these things. A proper inquiry should be instituted against the former Prime Minister and her son and all those moneys which have been illegally spent should be got refunded from their personal property.

Sir, the way the Congress Government ruled during the past 30 years reminds us of the way in which Englishmen were ruling this country, namely the policy of divide and rule between the two major communities that is, Hindus and Muslims. Now Sir an attempt is being made by the former Finance Minister, Shri Subramaniam, to create division between North and South. This is a matter of great shame.

SHRI C. SUBRAMANIAM (Palani)
Madam Chairman, it was not my

point to create any difference between North and South. The pattern of voting is a fact. This should not lead to polarisation between North and South. Since this is being harped upon member after member I want to clear this point. The Finance Minister should take note of it.

SHRI BASHIR AHMAD: Madam Chairman, I want to respectfully submit that when the Congress was in power it resorted to dubious and mean tactics. During the last thirty years they resorted to one tactic after another for creating communal differences so as to keep themselves saddled in power. They created the bogey of RSS and Jan Sangh against Muslims. Now, they want to again create dissension in the country. I want to remind the House that the speech of Mr. Qureshi has created the bogey of Kashmir. I warn the House that they should beware of the tactics of the Congress party. They want to create confusion by these tactics and speeches. People have already rejected them and they can never recover their position by these tactics. They faced their Waterloo at every place. The author of this doctrine has also failed. Her son has also failed.

Madam Chairman, they talk about smugglers. I want to know who are the creators of these smugglers. It is the Congress party which took funds from these people. They gave shelters to these smugglers. So they are responsible for smuggling in this country. When they wanted to bring about deflation in the country they took the step to arrest them but the House should remember that they did not bring them before the courts. Had they been brought before the courts they would have explained as to how money they had given to the Congress party. Therefore they were restrained from making any statement in courts. This is

the manner in which the smuggling was encouraged by them. They were authors of corruption and sin. I come from a constituency of Uttar Pradesh Fatehpur and Banda which are one of the backward areas of Uttar Pradesh. I know to whichever villages I went I found that even in March the wells had dried up the canals were dried up the people were craving for drinking water. This is the position in this country of which they are proud. People were not getting any drinking water. There were no roads there were no outlets in the villages. People were starving farmers were starving children were weeping and there were tears in the eyes of the people wherever I visited. The neighbouring constituency of mine immediately adjoining it is Rae Bareilly district. A large number of industrial projects were taken up in Rae Bareilly district but no project was taken up in Fatehpur district. Why these various industrial projects were undertaken in Rae Bareilly? I ask this question from these Congressmen. It was merely to corrupt the people of Rae Bareilly. And they wanted to corrupt and bribe the people and the voters but the voters were extremely wise. And no improvement was made in my constituency which is hardly a furlong from Rae Bareilly district from which Indira Gandhi contested. I will ask one question. Is there any tradition with them that there were so many projects in Rae Bareilly which was backward area. Fatehpur was also an equally backward area and both are adjoining each other but not a single project was taken up to create any employment opportunity to the people of Fatehpur. This was really with a view to corrupt the voters. And that principle of corruption also failed and the people rejected her.

Now one thing I want to mention before the hon. Finance Minister is that a large number of people had been detained under the MISA. Now, it is extremely important that all

those detainees should be rehabilitated. The victims are those persons who have given their lives. They are all national heroes. I dare say that we have got freedom only after 30 years. The real freedom is now with us. We have been delivered of a misrule and a corrupt rule and we are really free. Adequate provision should be made in the Budget for these persons who are such victims. Rehabilitation grants and maintenance grants should be immediately allocated to these MISA detainees and to the heirs of the deceased victims. I know the plight of these persons. All those persons are poor economically backward and those persons should be immediately rehabilitated. Maintenance allowance should be granted to them.

I have also moved a token motion on that ground that immediate provision should be made to rehabilitate them and that will be the only one succour to them and they should also be provided compensation for the loss of their lives in the jails. I know how people were detained and how people's lives were lost. Thousands of people have died and their heirs are starving and there is no one to look after them. They should be given all adequate facilities of education employment and everything and a provision should be made in the Budget accordingly. They should also be freed from the income-tax and other liabilities during the period they were under detention. That is also my submission. An adequate provision should also be made to amend the Finance Bill. Now these are all various steps which should be taken to provide relief and succour to these people. Amongst them directives should also be issued to reinstate the victimised people on count of compulsory sterilisation. Many deaths have occurred on account of compulsory sterilisation. Compensation should also be provided to those persons. They are also national heroes. The increments and promotions of many Government

[Shri Bashir Ahmad]

servants have been stopped and they should also be provided with their jobs their increments should be revived and they should also be reinstated. That sort of provision should also be made in the Budget for those persons.

We have to remove these ills which have been done during these past 20 months of these atrocious and tyrannical rule of the former Government

15 hrs.

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL) Madam Chairman, I have listened with great interest to the speeches made during the budget debate on both sides of the House and I shall give full consideration to the various suggestions made in these speeches. But before I proceed to offer my observations on some of the important points and the suggestions made here I would like to deal with some general remarks made by Shri Subramaniam. Shri Subramaniam in his maiden speech as an Opposition leader undoubtedly acquitted himself well as was only to be expected. But he is clearly not very certain of himself in his new role. I have no doubt that he will soon reconcile himself to the new situation and would regain the clarity of thinking which we usually associate with him. I say this because he does appear to have displayed some extraordinary confusion in his thinking in some of his initial observations. He drew pointed attention of the House to what he called a particular pattern in the verdict of the people. I would read his actual words:

The whole of the South has given a particular pattern of verdict. Are you going to say that this is of no consequence what the South thinks about the political situation? Are you going to say that the non-Hindi-speaking people are a matter of no concern for us? Therefore, when I said that

the verdict of the people has been gracefully accepted by the former Prime Minister, I want to point out to the present Prime Minister that there has been a particular pattern in the verdict particularly in the southern States by 17 crores of people and this will have to be kept in mind.

(Interruptions)

SHRI C. SUBRAMANIAM I do not believe in North or South.

SHRI H. M. PATEL I am quoting your own speech.

SHRI VASANT SATHE (Akola) You also take into consideration the personal explanation given by him.

SHRI H. M. PATEL I am quoting Mr. Subramaniam's observations. Please listen to me.

(Interruptions)

Madam Chairman I had expected that the Opposition would behave with some dignity and grace. I am quoting Mr. Subramaniam's observations. Let me continue.

SHRI VASANT SATHE That is partial.

SHRI H. M. PATEL I am reading his observations word by word. This is what has been said and I am merely asking for an explanation. He drew pointed attention to this. Then what does it mean exactly? He has said that the whole of the South has given a particular pattern of verdict and then he links it up with his earlier observations. That is why he has said that the verdict of the people has been gracefully accepted by the former Prime Minister. Then what else could he have done—whatever the pattern of the verdict—so far as the graceful acceptance is concerned? Is Mr. Subramaniam suggesting that the Prime Minister had some idea of saying "I will continue in the Government for the South and this Government may be for the North"? Is it the idea to divide this country into two? What is the graceful acceptance about? Then the pattern of verdict has no meaning whatsoever. And then he goes on to say ..

SHRI VASANT SATHE The meaning is don't gloat over it

SHRI H M PATEL Who is gloating over it? There is no question of gloating over it. I am merely quoting very quietly from the observations of Mr Subramaniam himself. I am expressing my surprise that someone like Mr Subramaniam should have let fall remarks of this nature which clearly can only mean that somehow he wishes to show that the south and the north are different. The only reasonable inference from this should be for the Congress Party to make enquiries as to why is it that the north has so completely and thoroughly repudiated the Congress Party. That is the real matter for his consideration.

You can go on to say that the Janta Party may equally go into the question as to why the south has voted as it has done. Certainly you can say that but there is no question of making remarks such as Mr Subramaniam has chosen to make.

Mr Subramaniam goes on to say

"I am sorry I have some more unpleasant things to say. Even the three members who adorn the Janta Party from Tamil Nadu today did not come as Janta Party people. They came in the disguise of Cong(O).

What is the disguise? They are Janta Party members. They subscribed to the Janta Party programmes and policies. Then he goes on to say

"Take all the mighty Janta heroes—Shri George Fernandes, Shri Madhu Limaye, Shri Ravindra Varma, Shri H V Kamath—all of them sought political asylum in—the sneering term—"the enlightened State of Bihar instead of facing their own people in their own home States"

Is Mr Subramaniam so completely unaware of the Constitution of this country? Does he not know that the Constitution makes express provision that any person who is an Indian citizen has only to have the voting right to be able to stand as a candidate in any part of the country? The Constitution was in this way emphasising the fact that India is one. Why is Mr Subramaniam suddenly so desirous of trying to say that this is not the case? I hope that it is not Mr Subramaniam's intention or that of the opposition to encourage divisive tendencies.

I appreciate Shri Subramaniam's kind words about myself but even here he has allowed some confusion to cloud his thinking when he went on to express the hope that I would not allow my Swatantra background to influence my thinking in regard to the budget that I would be presenting to this House. I would like to remind him that I now belong to the Janta Party and that those who have joined the Janta Party whatever their earlier background have accepted the policies and programmes which the Janta Party has laid before the public. It is that policy and programme which every member of the Janta Party whatever his or her background has accepted as the definite policy and programme for which he or she will strive.

As the House knows this Government came into power only a few days ago. As such we have had no time to formulate a coherent economic programme. However this process has already started and I shall outline our thinking and priorities at the time of the presentation of the regular budget some time in May. At this stage I am requesting the House merely to pass a Vote on Account in order to enable the essential business of Government to be carried on in the early months of 1977-78.

[Shri H M Patel]

Shri Subramaniam has criticised me for not having touched on the state of the economy in my budget speech. This is not because I have no views on the state of the economy. I refrained from doing so because I intended to give a balanced assessment of the state of the economy, its problems, prospects and policy options at the time of the presentation of the regular budget in May. However, since Shri Subramaniam has raised this issue, I shall utilise this opportunity to say a few words on this subject.

Let me say at the very outset that I do not agree that the economy we have inherited is as rosy as painted by Shri Subramaniam and Shri A C George. Shri Subramaniam referred to the growth of national income of 8.5 per cent in 1975-76 but he forgot to mention that this came in the wake of a growth of 0.2 per cent of national income in 1974-75. I need not tell the House that the increase in national income in 1975-76 was largely a consequence of favourable weather conditions. That the state of the Indian economy is far from healthy will be borne out by the fact that in the current year national income is at best expected to increase only by about 2 per cent. Shri C Subramaniam conveniently forgot to mention that Agricultural production is expected to show a substantial decline in the current year. The production trends in respect of coarse grains, pulses and oilseeds are highly discouraging. Even in a commodity like cotton offering an undoubted potential for growth, wrong pricing and procurement policies of the previous Government have led to a steep fall in production in the last two years. Overall, one can hardly derive any comfort from the fact that in the last four or five years there has been little increase in per capita income. This is hardly a record to feel proud of. The fact that the long

term growth rate of national income after nearly 25 years of planning has not exceeded 3.5 per cent per annum is an eloquent testimony to the efficacy of planning priorities and techniques followed by the previous Government. As brought out in the document of the Fifth Five Year Plan prepared by the previous Government in nearly 38 per cent of districts in India, the growth rate during the ten year period 1952-63 to 1972-73 was either negative or less than 1 per cent per annum.

The proportion of people below the poverty line has increased to an intolerable level. The problem of unemployment appears more menacing than ever before. It is a great pity that the Fifth Five Year Plan approved last year by the previous Government does not offer any tangible solutions to this grave problem.

Shri Subramaniam referred to the primacy of agriculture to which he says his Government had been dedicated. However, the actual policies pursued by the previous Government do not convey this impression. He has stated that in allocating resources for irrigation, finance has not been a constraint and that whatever money could be utilised efficiently has been provided for. If this indeed is the case, then it is a sad commentary on the administrative efficiency bequeathed to us by the previous Government. In a country where 75 per cent of the area is still unirrigated, there must be vast potential for a rapid expansion of the irrigation facilities. Why is irrigation potential not expanding fast enough? Why is it that utilisation of the irrigation potential that has actually been created continues to be unsatisfactory? If I may say so, the previous Government deliberately stood in the way of optimum utilisation of the water resources of the country. Inter-State water disputes were allowed to drag on despite the pressing need for more irrigation. The House perhaps knows

that in the case of the Narbada project, the former Prime Minister refused to provide the decisive lead even when all the four concerned States had agreed to adide by her award. There has been no systematic planning of the vast ground water resources, particularly in Eastern India.

Shri Subramaniam has talked about the improved performance of India's industrial economy. However, one cannot get away from the fact that despite a 9 per cent increase in industrial production in 1976-77, the rate of growth of industrial production in the last decade was no higher than 4 per cent. Even to day, a large number of industries such as coal, steel, textiles and engineering are faced with lack of adequate demand which has greatly affected the growth of employment opportunities. Large number of industries show growing signs of sickness. This is a state of affairs which cannot but cause alarm.

Both Shri Subramaniam and Shri A. C. George have referred to the undoubted rapid growth of our exports. However, even in this area, the policies of the previous Government showed inconsistency and incoherence. Witness, for example, their attempts to export essential commodities like onions, raw cotton and groundnut oil, which in turn led to pressure on domestic supplies and consequently a rise in prices, causing great hardships to consumers all over India.

On the import side, despite mounting foreign exchange reserves, the previous Government failed to take timely decisions for the import of sensitive commodities like vegetable oils and raw cotton. Even though imports of vegetable oils are now beginning to have a stabilizing effect on prices, these imports were effected only after considerable delay; in the meanwhile the public underwent great hardships. It is no use boasting about

foreign exchange reserves if they cannot be used to promote the country's growth.

Shri Subramaniam and Shri A. C. George have drawn the House's attention to the increase in inward remittances and they have argued that this was made possible by the crack-down on smuggling under the Emergency. Throughout their speeches they have sought to create an impression that they would like the Emergency to be brought back and that this country needs a perpetual state of Emergency to realise its economic potential. We, on this side, completely repudiate that sort of assumption. We sincerely believe that it is possible to realize the fruits of economic growth without sacrificing fundamental rights, human liberty and the rule of law.

What surprises me is that with such deep concern about smugglers and smuggling, the previous Government should, after having allowed the emergency to continue throughout the period of the election process, have lifted it with such unseemly haste on the 21st of March, with the full knowledge that the Prime Minister would be resigning within the next few days. Surely, the previous Government, had they been wise and responsible should have taken steps to ensure that smugglers and foreign exchange racketeers do not, upon release, run amuck and are rendered incapable of mischief.

We are determined nevertheless to see that smuggling is firmly curbed in a very real sense and I would assure this House that smugglers would not be allowed to indulge in anti-social action without let or hindrance. They will be given no quarter. But while saying this, I should make it clear that we do not consider that the proclamation of emergency is the only method of keeping smugglers and foreign exchange manipulators in check. It is our firm belief that this could be done by making effective use of the ordinary laws of the land. We also believe that wherever necessary

[Shri H. M. Patel]

ordinary legal processes ought to be strengthened in order to plug loopholes. We certainly do not regard a prolonged preventive detention without trial as the only effective means for curbing smuggling. As everyone knows, the fact that smuggling had assumed such great proportions was largely a consequence of the faulty policies pursued by the previous Government and the laxity of its administrative machinery. After all, why did they not take action against smugglers earlier than 1974? Clearly, they did not want to do so because of a lack of will for reasons which are well known.

I should like to tell the House that in the current year in which national income growth is not likely to exceed 2 per cent money supply has been allowed by the previous Government to expand by as much as 17 per cent. Shri Subramaniam himself referred to credit relaxation brought about in the last two months. If he was so concerned with the growth of money supply, may I ask why did he allow this relaxation to come about? On our part, we do not believe that credit squeeze is good in itself. It is our view that credit policies must be so formulated that they are flexible enough to provide adequate incentive to increased production without generating inflationary pressures in the economy.

As a result of faulty economic management of the economy, prices have risen by 12 per cent in the course of the last one year. The common man can derive no comfort from the fact that the inflation rate in India is less than elsewhere. In a country of stagnant real incomes, even a mild rise in prices brings about a sharp decline in the standard of living of the poorer sections of society. Certainly an increase of 12 per cent in prices in a single year cannot be considered a

mild one. In spite of this staggering increase, Shri Subramaniam seems to be under the delusion that he had successfully contained inflationary pressures.

Shri Somnath Chatterjee has referred to the need to scrap the Compulsory Deposit Scheme and to restore bonus to workers. I am sure he would not expect me to provide an immediate response to such pleas. I can, however, assure him that these issues will be carefully examined before the presentation of the regular budget.

Shri Chatterjee also mentioned that "a large number of employees were dismissed under article 311(2)(c) without enquiry". The matter is being gone into and a statement will be made on this subject shortly.

Shri Charan referred to the problems of the eastern region. I shall go into the various points made by him and take action in due course.

The economy is today faced with problems of inadequate growth, both in agriculture and industry, growing sickness in industry and increasing unemployment. In solving these formidable problems, we shall need the goodwill and cooperation of all sections of this House. In the budget that I shall be presenting in May 1977, I hope to outline our thinking for the solution of these problems. In the meanwhile this interim budget which is before you has been prepared under the direction of Shri Subramaniam. Therefore, it deserves his support. He can reserve his ammunition for the regular budget to be presented in May.

SHRI C. SUBRAMANIAM Sir on a point of clarification, India has gained a new image in the international world in regard to the strength of our economy. It is not my statement it is borne out by reports of international organisations, reports of international experts and pronouncements in international conferences and committees.

As a matter of fact, in the Commonwealth Finance Ministers' Conference at Hongkong, one of the leading dailies came out with an editorial in which a suggestion was made to the Chancellor of the Exchequer of the British Government that he should not look to the London economists for guidance with regard to the management of the British economy, he should rather go to New Delhi for guidance. I am not boasting about it, this is what he said. Then, our performance on the food front, our performance on the foreign exchange reserve front, ... (interruptions) all these have been hailed. (interruptions)

MR. CHAIRMAN: Order, order. You have already made your speech, which is before the House. You have made the opening speech. Now, after the Finance Minister's speech, by rising on a point of order, if you go on making a speech ...

SHRI C SUBRAMANIAM: Yesterday Dr Subramaniam Swamy referred to me and said so many things (interruptions).

MR. CHAIRMAN. If he had mentioned anything in his speech, you should have raised it at that time. But now, after the Finance Minister has replied to the debate, you cannot make a speech. So, please sit down.

You may mention that on another occasion. There is no time for putting any question now.

SHRI C SUBRAMANIAM: I am not going to waste the time of the House. I am a responsible Member of the House.

MR. CHAIRMAN: I am not allowing anything to be raised now. I now put all the cut motions together to the vote of the House.

All the cut motions were put and negatived.

MR. CHAIRMAN: The question is:

"That the respective sums not exceeding the amounts on Revenue Account and Capital Account shown in the third column of the order paper, be granted to the President out of the Consolidated Fund of India on account, for or towards defraying the charges during the year ending on the 31st day of March, 1978, in respect of the heads of demands entered in the second column thereof against Demands Nos 1 to 109."

The motion was adopted.

[List of Demands for Grants on Account (General) for 1977-78, voted by Lok Sabha]

No of Demand	Name of Demand	Amount of Demand for Grant on account voted by the House	
1	2	3	
		Revenue Rs	Capital Rs
MINISTRY OF AGRICULTURE AND IRRIGATION			
1.	Department of Agriculture	81,41,000	—
2.	Agriculture	62,85,93,000	173,68,30,000
3.	Fisheries	7,06,12,000	3,82,74,000
4.	Animal Husbandry and Dairy Development	18,72,66,000	2,20,60,000

1	2	3	
		Revenue	Capital
		Rs.	Rs.
5	Forest	5,29,52,000	46,67,000
6	Department of Food	2,03,08,79,000	14,72,51,000
7	Department of Rural Development	45,69,88,000	5,63,07,000
8	Department of Agricultural Research and Education	2,55,000	..
9	Payments to Indian Council of Agricultural Research	19,49,75,000	
10	Department of Irrigation	7,93,01,000	2,47,25,000
MINISTRY OF CHEMICALS AND FERTILIZERS			
11	Ministry of Chemicals and Fertilizers	14,35,000	..
12	Chemicals and Fertilizers Industries	25,000	1,56,79,64,000
MINISTRY OF CIVIL SUPPLIES AND COOPERATION			
13	Ministry of Civil Supplies and Cooperation	12,27,000	..
14	Civil Supplies and Cooperation	7,57,14,000	7,21,16,000
MINISTRY OF COMMERCE			
15	Ministry of Commerce	48,50,000	..
16	Foreign Trade and Export Production	1,31,54,90,000	106,22,44,000
MINISTRY OF COMMUNICATIONS			
17	Ministry of Communications	54,34,000	4,27,33,000
18	Overseas Communications Service	3,59,10,000	2,83,45,000
19	Posts and Telegraphs — Working Expenses	2,03,52,45,000	..
20	Posts and Telegraphs—Dividend to General Revenues, Appropriations to Reserve Funds and Repayment of Loans from General Revenues	54,56,43,000	..
21	Capital Outlay on Posts and Telegraphs . . . . .	..	115,02,67,000
MINISTRY OF DEFENCE			
22	Ministry of Defence	24,05,04,000	17,08,68,000
23	Defence Services— Army	598,83,47,000	..
24	Defence Services — Navy	62,58,65,000	..
25	Defence Services — Air Force	191,84,23,000	..
26	Defence Services — Pensions	37,15,02,000	..
27	Capital Outlay on Defence Service		102,10,01,000

1	2	3
MINISTRY OF EDUCATION AND SOCIAL WELFARE		
	Revenue	Capital
	Rs.	Rs.
28	Department of Education	52,53,000
29.	Education	62,46,11,000
30	Department of Social Welfare	6,76,70,000
MINISTRY OF ENERGY		
31.	Ministry of Energy	22,75,000
32.	Power Development	17,28,69,000
33.	Coal and Lignite.	7,67,68,000
MINISTRY OF EXTERNAL AFFAIRS		
34	Ministry of External Affairs	38,33,79,000
MINISTRY OF FINANCE		
35	Ministry of Finance	10,28,04,000
36	Stamps	7,82,67,000
37.	Audit	19,75,00,000
38	Currency, Coinage and Mint	16,11,77,000
39	Pensions	17,78,50,000
40	Transfers to State and Union Territory Governments	182,48,33,000
41	Other Expenditure of the Ministry of Finance .	59,81,33,000
42	Loans to Government Servents, etc	19,33,33,000
DEPARTMENT OF REVENUE AND BANKING		
43	Department of Revenue and Banking	2,22,19,000
44.	Customs	8,92,94,000
45	Union Excise Duties	15,89,20,000
46	Taxes on Income, Estate Duty, Wealth Tax and Gift Tax	14,77,60,000
47.	Opium and Alkaloid Factories	24,69,87,000
MINISTRY OF HEALTH AND FAMILY PLANNING		
48	Ministry of Health and Family planning	28,17,000
49	Medical and Public Health	38,85,35,000
50.	Family Planning	43,38,28,000

1	2	3		
			Revenue Rs	Capital Rs
MINISTRY OF HOME AFFAIRS				
51	Ministry of Home Affairs . . .		87 62 000	..
52	Cab net .		64 73,000	
53	Department of Personnel and Administrative Reforms		2 73,08,000	
54	Police		70 50,83,000	2 16,67,000
55	Census		1,26 79,000	
56	Other Expenditure of the Ministry of Home Affairs		52 34 16,000	19 39 58,000
57	Delhi		44 13 68,000	26,47,00,000
58	Chandigarh		6 51,58,000	3 13 76,000
59	Andaman and Nicobar Islands		7,74,24,000	3 77,87,000
60	Dadra and Nagar Haveli		78 96,000	70,04,000
61	Lakshadweep		1 52 34,000	52 13 000
MINISTRY OF INDUSTRY				
62	Ministry of Industry .		1,05 87,000	
63	Industries		7 98 69 000	80,41,89,000
64	Large and Small Industries		12 81,28 000	10 82,78,000
MINISTRY OF INFORMATION AND BROADCASTING				
65	Ministry of Information and Broadcasting		27 95,000	
66	Information and Publicity		6 62,44,000	77 57,000
67	Broadcasting		19 55,04,000	8 53 59,000
MINISTRY OF LABOUR				
68	Ministry of Labour		28 33,000	
69	Labour and Employment .		22 46 00,000	1 15,000
MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS				
70	Ministry of Law, Justice and Company affairs		4,43 60,000	
71	Administration of Justice		12 56,000	
MINISTRY OF PETROLEUM				
72	Ministry of Petroleum		21,49,000	
73	Petroleum and Petro-Chemicals Industries		21,73 61,000	144,97 15,000

1	2	3	
			Revenue Rs.
			Capital Rs.
MINISTRY OF PLANNING			
74.	Ministry of Planning	2,70,000	..
75.	Statistics	4,48,70,000	..
76.	Planning Commission	2,25,75,000	..
77.	Department of Science and Technology	6,92,55,000	55,00,000
78.	Survey of India	6,24,57,000	..
79.	Grants to Council of Scientific and Industrial Research	17,17,09,000	..
MINISTRY OF SHIPPING AND TRANSPORT			
80.	Ministry of Shipping and Transport.	99,24,000	..
81.	Roads	30,80,99,000	32,68,04,000
82.	Ports, Lighthouses and Shipping	10,58,01,000	72,72,88,000
83.	Road and Inland Water Transport.	20,78,000	2,85,53,000
MINISTRY OF STEEL AND MINES			
84.	Department of Steel	26,31,04,000	1,86,59,12,000
85.	Department of Mines	10,67,000	..
86.	Mines and Minerals	14,50,80,000	22,49,00,000
MINISTRY OF SUPPLY AND REHABILITATION			
87.	Department of Supply	8,14,000	..
88.	Supplies and Disposals	2,54,58,000	..
89.	Department of Rehabilitation	8,41,75,000	3,17,76,000
MINISTRY OF TOURISM AND CIVIL AVIATION			
90.	Ministry of Tourism and Civil Aviation	18,70,000	..
91.	Meteorology	5,75,05,000	1,23,45,000
92.	Aviation	8,28,34,000	12,60,52,000
93.	Tourism	1,54,82,000	2,61,67,000

1	2	3	
		Revenue Rs.	
		Capital Rs	
MINISTRY OF WORKS AND HOUSING			
94	Ministry of Works and Housing	41,80,000	..
95	Public Works	21,49,55,000	9,80,26,000
96.	Water Supply and Sewerage	1,00,37,000	..
97.	Housing and Urban Development	4,39,22,000	11,10,75,000
98	Stationery and Printing	10,51,73,000	..
DEPARTMENT OF ATOMIC ENERGY			
99.	Department of Atomic Energy	16,96,000	..
100	Atomic Energy Research, Development and Industrial Project	21,95,70,000	31,71,41,000
101.	Nuclear Power Schemes	13,92,59,000	19,34,68,000
DEPARTMENT OF CULTURE			
102.	Department of Culture	3,03,99,000	.
103	Archaeology	2,26,66,000	
DEPARTMENT OF ELECTRONICS			
104	Department of Electronics	2,82,33,000	1,48,43,000
DEPARTMENT OF SPACE			
105.	Department of Space	12,09,72,000	2,91,61,000
PARLIAMENT, DEPARTMENT OF PARLIAMENTARY AFFAIRS, SECRETARIATS OF THE PRESIDENT AND VICE PRESIDENT AND UNION PUBLIC SERVICE COMMISSION			
106.	Lok Sabha	1,51,10,000	..
107	Rajya Sabha	65,45,000	..
108.	Department of Parliamentary Affairs	6,43,000	..
109.	Secretariat of the Vice-President	1,85,000	..

1526 hrs.

APPROPRIATION (VOTE ON AC
COUNT) BILL* 1977

THE MINISTER OF FINANCE AND
REVENUE AND BANKING (SHRI H
M. PATEL) I beg to move for leave
to introduce a Bill to provide for the
withdrawal of certain sums from and
out of the Consolidated Fund of India
for the services of a part of the finan-
cial year 1977-78

MR CHAIRMAN The question is

"That leave be granted to intro-
duce a Bill to provide for the with-
drawal of certain sums from and
out of the Consolidated Fund of
India for the services of a part of
the financial year 1977-78

The motion was adopted

SHRI H M PATEL I introduce
the BillI beg to move[†]

"That the Bill to provide for the
withdrawal of certain sums from
and out of the Consolidated Fund
of India for the services of a part
of the financial year 1977-78 be
taken into consideration

MR CHAIRMAN The question is

"That the Bill be provide for the
withdrawal of certain sums from
and out of Consolidated Fund of
India for the services of a part of
the financial year 1977-78 be taken
into consideration"

The motion was adopted

MR CHAIRMAN The question is

"That Clauses 2 to 4 the Schedule
Clause 1 the Enacting Formula and
the Title stand part of the Bill.

The motion was adopted

Clauses 2 to 4 the Schedule Clause 1
the Enacting Formula and the Title
were added to the Bill

SHRI H M PATEL I beg to move

That the Bill be passed

MR CHAIRMAN The question is

That the Bill be passed"

The motion was adopted

1530 hrs

SUPPLEMENTARY DEMANDS** FOR
GRANTS (GENERAL) 1976-77

MR CHAIRMAN The question is

That the respective Supplemen-
tary sums not exceeding the amounts
on Revenue Account and Capital
Account shown in the third column
of the Order Paper be granted to the
President out of the Consolidated
Fund of India to defray the charges
that will come in course of payment
during the year ending the 31st day
of March 1977 in respect of the fol-
lowing demands entered in the second
column thereof—

Demands Nos 2 to 4 6 7 9 10
12 to 14 19 to 21 23 24 26 27
29 30 32 34 36 38 to 41 43 to 5^o
54 to 62, 64 to 68 71 72 76 77 79
to 81 83 88 90 9^o to 94 and 96
to 99

The motion was adopted

*Published in Gazette of India Extraordinary Part II Section 2 dated
30 3 77

†Introduced/Moved with the recommendation of the Vice President
acting as President

**Moved with the recommendation of the Vice-President acting as President

List of Supplementary Demands for Grants (General) for 1976-77 voted by Lok Sabha.

No. of Demand	Name of Demand	Amount of Demand for Grant	
1	2	3	
		Revenue Rs.	Capital Rs.
MINISTRY OF AGRICULTURE AND IRRIGATION			
2	Agriculture	[1,000	..
3	Fisheries . . . . .	..	61,00,000
4	Animal Husbandry and Dairy Development	98,95,000	..
6	Department of food	304,94,51,000	25,95,51,000
7	Department of Rural Development . . . . .	..	3,00,00,000
9	Payments to Indian Council of Agricultural Research	49,82,000	..
10	Department of Irrigation	2,03,71,000	..
MINISTRY OF CHEMICALS AND FERTILIZERS			
11	Chemicals and Fertilizers Industries; . . . . .	.	86,96,00,000
MINISTRY OF COMMERCE			
13	Ministry of Commerce	21,62,000	..
14	Foreign Trade and Export Production	112,20,96,000	3,000
MINISTRY OF COMMUNICATIONS			
19	Capital Outlay on Posts and Telegraphs . . . . .	.	20,06,00,000
MINISTRY OF DEFENCE			
20	Ministry of Defence	3,26,000	4,16,83,000
21	Defence Services-Army	89,09,38,000	..
23	Defence Services-Air Force	22,43,32,000	..
24	Defence Services-Pensions	2,83,93,000	..
MINISTRY OF EDUCATION AND SOCIAL WELFARE			
26	Department of Education	8,90,000	..
27	Education	2,000	..
MINISTRY OF ENERGY			
29	Ministry of Energy	3,68,000	..

		1	2	3
			Revenue Rs.	Capital Rs
30	Power Development		1,000	16,58,40,000
MINISTRY OF EXTERNAL AFFAIRS				
32	Ministry of External Affairs		10,08,30,000	..
MINISTRY OF FINANCE				
34	Stamps		2,74,71,000	.
36	Currency, Coinage and Mint		8,62,09,000	7,90,51,000
38	Transfers to State and Union Territory Governments		111,85,78,000	..
39	Other Expenditure of the Ministry of Finance		14,54,00,000	..
40	Loans to Government Servants, etc		..	28,85,00,000
DEPARTMENT OF REVENUE AND BANKING				
41	Department of Revenue and Banking		1,14,07,000	23,65,63,000
43	Union Excise Duties		78,14,000	..
44	Taxes on Income, Estate Duty, Wealth Tax and Gift Tax		1,99,85,000	.
45	Opium and Alkaloid Factories		88,63,000	..
MINISTRY OF HEALTH AND FAMILY PLANNING				
46	Ministry of Health and Family Planning		8,44,000	..
47	Medical and Public Health		10,17,54,000	8,95,46,000
48	Family Planning		27,20,90,000	..
MINISTRY OF HOME AFFAIRS				
49	Ministry of Home Affairs		50,71,000	..
50	Cabinet		78,48,000	..
51	Department of Personnel and Administrative Reforms		93,43,000	..
52	Police		13,55,43,000	1 00 00,000
54	Other Expenditure of the Ministry of Home Affairs		1,52,55,000	2,07,11,000
55	Delhi		11,67,54,000	21,92,78,000
56	Chandigarh		1,39,39,000	..
57	Andaman and Nicobar Islands		2,05,32,000	2,24,000
58	Dadra and Nagar Haveli,		8,64,000	..
59	Lakshadweep		1,58,32,000	16,54,000

1	2	3
	Revenue Rs.	Capital Rs.
MINISTRY OF INDUSTRY AND CIVIL SUPPLIES		
60	Ministry of Industry and Civil Supplies	2,78,000 ..
61	Industries	26,90,25,000
62	Village and Small Industries	42,81,000 2,000
MINISTRY OF INFORMATION AND BROADCASTING		
64	Ministry of Information and Broadcasting	21,55,000 ..
65	Information and Publicity	2,92,61,000 ..
66	Broadcasting	17,64,69,000 ..
MINISTRY OF LABOUR		
67	Ministry of Labour	6,00,000 ..
68	Labour and Employment	6,98,94,000 ..
MINISTRY OF PETROLEUM		
71	Ministry of Petroleum	16,69,000 ..
72	Petroleum and Petrol-Chemicals Industries . . . . .	.. 4,000
MINISTRY OF PLANNING		
76	Department of Science and Technology	2,20,90,000 ..
77	Survey of India	20,00,000 ..
MINISTRY OF SHIPPING AND TRANSPORT		
79	Ministry of Shipping and Transport	29,80,000 ..
80	Roads	4,76,48,000 92,90,000
81	Ports, Lighthouses and Shipping	4,37,30,000 18,17,75,000
MINISTRY OF STEEL AND MINES		
83	Department of Steel	2,82,58,000 1,000
MINISTRY OF SUPPLY AND REHABILITATION		
83	Department of Rehabilitation . . . . .	.. 1,000
MINISTRY OF TOURISM AND CIVIL AVIATION		
90	Meteorology	1,000 1,000
92	Tourism	24,05,000

1	2	3
	Revenue Rs	Capital Rs
MINISTRY OF WORKS AND HOUSING		
93 Ministry of Works and Housing	5 63,000	
94 Public Works	9 19 91 000	1 61 80,000
96 Housing and Urban Development	2 32 39,000	1,00 000
97 Stat onery and Printing	14 88,000	
DEPARTMENT OF ATOMIC ENERGY		
98 Department of Atomic Energy	1,00 000	
99 Atomic Energy Research, Development and Indus- trial Projects	2 85 41,000	

15 31 hrs

APPROPRIATION BILL 1977**

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H M PATEL) Sir I beg to move for leave to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1976 77

MR CHAIRMAN The question is

That leave be granted to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1976 77

The motion was adopted

SHRI H M PATEL Sir I introduce† the Bill.

Sir I beg to move††

That the Bill to authorise payment and appropriation of certain

further sums from and out of the Consolidated Fund of India for the services of the financial year 1976 77, be taken into consideration

MR CHAIRMAN The question is

That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1976 77 be taken into consideration

The motion was adopted

MR CHAIRMAN We shall now take up the Clauses The question is

That Clauses 2 and 3 the Schedule Clause 1 the Enacting Formula and the Title stand part of the Bill

The motion was adopted

Clauses 2 and 3 the Schedule Clause 1 the Enacting Formula and the Title were added to the Bill

**Published in Gazette of India Extraordinary Part II Section 2 dated 30 5 77

†Introduced with the recommendation of the Vice President acting as President

††Moved with the recommendation of the Vice President acting as President.

SHRI H M PATEL: I beg to move

MR CHAIRMAN. We shall now take up Item Nos 11 and 12 together

"That the Bill be passed"

Motion moved

MR. CHAIRMAN The question is

"That the Bill be passed"

The motion was adopted.

"That the respective sums not exceeding the Amounts on Revenue Account and Capital Account shown in the third column of the Order Paper, be granted to the President out of the Consolidated Fund of the State of Tamil Nadu, on account, for or towards defraying the charges during the year ending on the 31st day of March, 1978, in respect of the heads of demands entered in the second column thereof against Demands Nos 1 to 57"

15 33 hrs.

**TAMIL NADU BUDGET, 1977-78—
GENERAL DISCUSSION AND DEMANDS** FOR GRANTS ON
ACCOUNT, 1977 78**

Any hon Member wants to speak on this

List of Demands for Grants on Account (Tamil Nadu) for 1977-78 submitted to vote of Lok Sabha

No of Demand	Name of Demand	Amount of Demand for Grant on Account	
1	2	3	
		Revenue	Capital
		Rs	Rs
1	Land Revenue Department	1,69,66,000	..
2	State Excise Department	25,83,000	..
3	Motor Vehicles Acts—Administration	37,79,000	..
4	General Sales Tax and Other Taxes and Duties—Administration	2,08,52,000	..
5	Stamps Administration	23,25,000	..
6	Registration	88,63,000	..
7	State Legislature	11,13,000	..
8	Elections	11,71,000	..
9	Head of State, Ministers and Headquarters Staff	5,30,46,000	..
10	Milk Supply Schemes	41,54,000	..
11	District Administration	6,35,55,000	..

1	2	3
	Revenue Rs.	Capital Rs.
12	Administration of the Tamil Nadu Hindu Religious and Charitable Endowments Act 1959	54 9 000
13	Administration of Justice	1 50 39,000
14	Jails	2 19 29,000
15	Police	13 15,09,000
16	Fire Services	96,00 000
17	Education	61 9 18,000
18	Medical	18,08 17,000
19	Public Health	11,03 73,000
20	Agriculture	14 26 65,000
21	Fisheries	77 97,000
22	Animal Husbandry	4 11 97 000
23	Co-operation	2,22 58,000
24	Industries	1 35 69,000
25	Cinches	38 23 000
26	Handlooms and Textiles	1 35 75,000
27	Khadi	25 84,000
28	Community Development Projects Etc.	14,41 51,000
29	Labour Including Factories	1,64,00,000
30	Social Welfare	1 97 46,000
31	Welfare of the Scheduled Tribes and Castes Etc.	6 19 91,000
32	Welfare of the Backward Classes Etc.	2,64,01,000
33	Housing	3,93 96,000
34	Urban Development	3 47 47,000
35	Civil Supplies	1,60 44,000
36	Immigration	7 77 13,000
37	Public Works and Buildings	1 14 41,000
38	Public Works—Transport and Transport Fleet	1,13,8 000
39	Roads and Bridges	9,92 18,000
40	Food Transport Services and Warehousing	1,6, 000

1	2	3	Revenue Rs	Capital Rs
41	Relief on Account of Natural Calamities		5 000	..
42	Pension and Other Retirement Benefits	.	7,25,03,000	..
43	Miscellaneous	. .	18,01,40,000	..
44	Stationery and Printing		2,60,12,000	..
45	Forest Department		1,72,14,000	..
46	Compensation and Assignments		5,45 18,000	..
47	Compensation to Landlords	.	..	9,17,000
48	Capital Outlay on Public Health, Sanitation and Water supply	.	..	30,38,000
49	Capital Outlay on Agriculture	.	.	5,14,35,000
50	Capital Outlay on Industrial Development		.	2,32,06,000
51	Capital Outlay on Irrigation		..	12,93,49,000
52	Capital Outlay on Public Works—Buildings	.	..	3,82,40,000
53	Capital Outlay on Roads and Bridges	. . .	.	3,38,52,000
54	Capital Outlay on Road Transport Services and Shipping	. . . . .	..	26,52,000
55	Capital Outlay on Forests	. . .	..	1,53,42,000
56	Miscellaneous Capital Outlay	. . .	..	3,17,18,000
57	Loans and Advances by the State Government		..	33,37,80 000

SHRI R. VENKATARAMAN (Madras South) Madam Chairman I rise to lend my support to the vote on account in the hope and I am sure that it will be shared by all sections of the House that the regular Budget of the Tamil Nadu Government will be presented to the appropriate Legislature and that the hon. Finance Minister will be spared of the tedium of presenting it to this House. The Ruling Party is full of hopes and the Congress Party in Tamil Nadu is full of elation. Therefore both of us are now in a mood to go to the polls and have a proper Legislature constituted to discuss appropriate measures for the State.

A lot of dust was raised by the recent elections to the Lok Sabha and a number of things which happened in the course of the year under review got somewhat dimmed from our perspective. During the year under review, Tamil Nadu went under a very severe strain and distress in the form of drought on the one side and floods on the other. In fact, the southern districts of Tamil Nadu i.e., Madurai, Ramanadapuram, Tirunelveli, and Kanyakumari were afflicted with such a severe drought that the people had to stand in queue for miles together in order to get a pot of water. I had gone round and seen the conditions there at

that time It was a most heart rending and a pitiable sight The people had to stand in queue even for getting drinking water As if nature mocks at all of us on the other side we had floods in the city of Madras inundating all the low lying areas and slum areas Again a lot of damage was done to the weaker and poorer sections of the society in the area I am happy that the Union Government gave about 27 crores for drought relief for the areas affected by drought in the southern districts and spent about four crores of rupees for the purpose of relieving distress on account of floods

This is not a casual phenomenon This is a recurring thing I take this opportunity to press on the Union Government the need to solve the problem of drought in the southern districts of Tamil Nadu in a permanent way There are no easy methods by which this problem can be solved I look forward to my friends and neighbours and also to the good offices of the Government of India to see that available water resources of the southern region are reasonably distributed in order to maximise the use and benefit to all the people in this area I would also recall in this connection the famous scheme which was initiated by the former Minister of Irrigation namely that of linking Ganga with Cooverly so that floods in one part of the country may be harnessed for feeding hungry starving and thirsty millions of people in other parts of the country

In spite of these natural calamities Tamil Nadu has made some progress during the year under review The first and the foremost achievement is in the field of controlling food prices The price of boiled rice which is a staple food of the people there and which was Rs. 2.50 per Kg a year before was brought down to Rs. 1.40 and Rs. 1.75 during the year under review Again on account of lifting of some of the restrictions on the movement of foodgrains it has been possible to enable free movement of grain from one part

of the State to another thereby ensuring easy and ready availability of foodgrains

The Hon Member from the State of Bombay was cutting a number of jokes yesterday about the 20 point programme Life without humour is certainly dull and Parliament without wit is dreary and so to the extent to which he referred to the 20 point programme in humour we all enjoyed it But it was meant to cloud the real progress that has been achieved I would only make one or two references to the excellent progress made during the year under review I am not going to deal with the whole of the problem but will just mention one or two facts only

So far as distribution of agricultural land to landless labourers is concerned 13,580 acres were assigned to the landless poor in the State in this one year to over 7000 people

The second figure I would like to give is that 17,000 house sites have been distributed during the year to the people who were houseless. Of these 58,000 were Scheduled Castes people and 2000 Scheduled Tribes people—because we have very few Scheduled Tribes people in our State

Now agriculture and handloom industry provide the largest employment in Tamilnadu. In fact more than about a third of the population of Tamilnadu live by the handloom industry and allied services. They were given assistance at the rate of Rs. 500 per loom and Government improved the production centres to provide new employment to a large number of people. Over and above that, 22,000 handloom weavers have been brought into the cooperative fold thus giving them various benefits.

Therefore I would like to mention that whatever might have been the performance of the 20 point programme in other parts of the country, the excellent performance of the 20 point pro-

[Shri R. Venkataraman]

gramme in Tamil Nadu is at least one of the reasons for the magnificent elections results that it has shown for the Congress

Unfortunately though Tamil Nadu was in the forefront in regard to industrial development and power development about a decade ago it became very backward in both these items and started trailing behind other States. In 1965-68 Tamil Nadu was the third among the industrialised States in the whole of India. Next to Maharashtra and West Bengal Tamil Nadu had the largest number of factories and the largest number of workers employed the greatest volume of industrial production and also the highest value added trade. But unfortunately now after a decade particularly after the misrule of the Karunanidhi DMK Government we have sunk from the third position to third from the bottom. We were about ten years ago third from the top and now we are third from the bottom. One of the reasons for this backwardness or deterioration is that no Central project of any importance has been given to Tamil Nadu during this period. During the ten years preceding that rule we were able to get the Bharat Heavy Electricals at Tiruchirappalli, the Tank Factory at Avadi and the Small Arms Factory at Tiruchirappalli. Nelveli is one of the projects which has given us assistance both in the matter of employment and in supplying the infrastructure for power.

I want the Finance Minister to make a note that if the major project which is now on the anvil, namely the Salem Steel Project is not included in the Budget and given the highest priority it will not only cause a deep disappointment in Tamil Nadu but drag the industrial development further backward and lead to further deterioration. The Salem Project was initiated during my period as the Industries Minister in that State. It has had a chequered career. All the time we have been

promised that it is being pursued. I find that now there is a rethinking on this after the Janata Government has taken charge. I wish to caution them that any attempt to either postpone or delay or abandon this project will be fraught with very serious consequences.

Regarding power generation, it is a matter within the personal knowledge of the Finance Minister. Shri H. M. Patel that Tamil Nadu was in the forefront in power generation a decade ago. As a member of the Committee which went into the working of the State Electricity Boards Mr. Patel visited the electricity undertakings in South India. He came to Tamil Nadu and saw them for himself. From the position of the State which was able to supply the surplus power to the neighbouring States a decade ago it has now deteriorated to a position that in the last few years we have introduced 70 per cent power cut which is unheard of in any civilized society. How can any industry thrive or how can any new industry prosper or come into existence if the prospect of power is so bleak? Now I am told that we have only 30 per cent cut. And as I was entering the House I was told that there is a suggestion with the new Janata Government—Mr. Ramachandran is my esteemed friend—we have worked together for 30 years—we have differed only in the last 13 months—to increase the power cut to 50 per cent. I would very earnestly and very humbly request him not to sign his first order cutting down power to Tamil Nadu. If he does it will go against not only the interests of the Party but also the interests of the people of the State. In order that the power situation may be retrieved we have been anxious that the second Muzo Cut in Nelveli should be expedited. We want that the power supply should be augmented by the establishment of a giant thermal station the southern grid should be strengthened so that we may have adequate supply for our power needs. This is a matter which should receive the highest priority and I am quite sure that the

Finance Minister himself having been the Chairman of the Electricity Board Gujarat knows the problems connected with power supply and distribution and the vital role that power plays in industrial and economic growth and will give his utmost priority to this problem.

As a result of the misrule of the DMK Government Tamil Nadu has been reduced to a poor State. The number of people below the poverty line at the end of their rule has grown from 46 per cent to 60 per cent. Somebody this morning was saying that Orissa is the poorest State. I am sorry to tell him that we have beaten him in the race. Tamil Nadu is poorer than Orissa. I have with me a note prepared by the Research Department of the Parliament Library and I am grateful to them. People do not recognise the good work that the others do. I am very grateful for what the Research Department of the Parliament Library has done. Tamil Nadu is the poorest State in the country with 55.23 per cent of its people living below the poverty line. Orissa comes next with 56.53 per cent according to the National Sample Survey. In fact the per capita Plan expenditure was the lowest in 1973-74. It was Rs. 25 the lowest in the whole of India. Thank God that during the President's rule they have been able to increase it to Rs. 60 per capita. I am also thankful to the Finance Minister that for the 1977-78 budget the allocation has been increased from Rs. 143 crores to Rs. 260 crores.

The final picture as I have presented before you is that this State has suffered as a result of a corrupt misrule that has prevailed there for eight years. Not only has it been condemned as corrupt by the people but the Commission appointed by the Government on which a Supreme Court Judge presided has given its findings. I know law enough not to transgress the limit and therefore I will resist what is permissible under the rules. The Sarkaria Commission in its first report says

The following charges have been established by cogent convincing and reliable evidence on all documentary and circumstantial

I will not read the charges because these are pending. But this is the finding of the Supreme Court Judge that prima facie a case has been established. There is a great apprehension in the minds of the people of Tamil Nadu that in spite of the prima facie findings by a Supreme Court Judge the cases are sought to be withdrawn by the present interested persons. I have great faith in the integrity of the Prime Minister Shri Morarji Desai. He is not new to us; we have worked shoulder to shoulder for several years but I only wish to caution that under no pressure should the Prime Minister abdicate withdrawing the charges. Let the law take its course. After all in the Address of the President you yourself have said that there will be no interference with the judiciary. We welcome it and we do hope that this will be adhered to.

12.54 hrs

[MR. SPEAKER in the Chair]

I would like to mention another thing. It is a well known convention as lawyers know it very well that when members of the bar are elevated to the Bench they do not sit and decide cases which they have handled themselves. Sitting on the other side the Law Minister has handled the case and therefore it would be appropriate that this norm, this standard should be observed by him. I have no doubt that the Prime Minister who is in over all charge of these proceedings will see to it that the law takes its course and that the law is not interfered with and that justice is done. Whether it is in favour of the accused or the other side it does not matter, but justice should be done.

MR. SPEAKER: I have done.

SHRI V. DHANDAYUTHIPANI (Vellore): Mr. Speaker, first of all I congratulate the Prime Minister and

[Shri V. Dharmayuthapani

his colleagues for having provided an independent democratic government

Mr Speaker one poignant appeal I want to make is regarding the memorial erected for our late lamented leader Shri Kamaraj at Guindy next to the Grdha Mandapam. As originally planned by the previous Tamil Nadu Government, there was a hole. Charkha adorning the top of the memorial. When Mrs Gandhi the then Prime Minister came to open the memorial building the Charkha was demolished and thrown down. What a strange kind of reverence to Sri Kamaraj! One side they demolish the Charkha and on the other way lip service to the glory of Sri Kamaraj. I request the Government to restore the Charkha on the top of the memorial which is only a fitting tribute to our great leader. The Charkha symbolises Gandhi's philosophy and the inspiration of the entire freedom movement.

Mr Speaker and the hon. Members I will be falling in my duty if I do not mention the activities of the Tamil Nadu Governor. At the outset I want to recall the attention of the people that yesterday the former Finance Minister Sri Subramaniam mentioned about the pattern of voting in Tamil Nadu. I would only recall his attention to what has happened in the District by-election. Mr Venkatarman has said that due to the 20 point programme they have won in Tamil Nadu. I want to say only one thing. I do not know whether he will accept it or deny it. Hon. Mr Subramaniam as soon as he became the Finance Minister in the last government having been elected from the Krishnagiri constituency said that it was the victory of the DMK. Now he can say that his victory will be that of AIADMK. I would say that it was because of their alliance with AIADMK the Congress has got some seats in the Parliament. Otherwise he would have lost even his deposit as their candidate lost in the District by-election. You cannot deny it.

Then Sir during the election time and before the Governor of Tamil Nadu was touring the districts for Congress election work I say this from my own personal experience. There is a specific instance. He has also toured my constituency and others. One day when I was sitting in a hotel, the opponent candidate was also staying in the same hotel. There was a call from the Raj Bhavan. I took the telephone. Then they said that the call was for my opponent. I was simply shocked. So the Raj Bhavan was converted into Congress Party Office. There are two Bhavans in Madras. One is the Satya Narthi Bhavan which houses the Congress (O) office. Now the Raj Bhavan is looking after the Congress. The Governor has misused his powers in this way.

16 hrs

The other point I want to emphasise is that the agriculturists in Tamil Nadu are suffering. As far as paddy and sugarcane are concerned I know personally that sugarcane price as such is at a lower percentage as compared to other States. The recovery is equivalent to that of Maharashtra and Bihar. I request the Government to raise the sugarcane price to Tamil Nadu farmers.

Credit facility has been closed both in the private source as well as in the Government source. Therefore many small industries are closed for the past two years. The Government was talking always about the industrialisation especially regarding Steel Rolling Mill. I request the Government to give more credit facilities to the small industries like steel rolling mills and machine industry.

Ever since S/Shri Subramaniam and Mohan Kumaramangalam became the Steel Ministers the Government has always been talking about the Salem Steel Plant. But even now it has not been completed. The Ministry demanded Rs. 16 crores but the former Government allotted only Rs. 3 crores. I

request the Finance and Industry Ministers to allot more funds for the Salem Steel Plant.

Since there is no hydro-electric potential left unused in Tamil Nadu, the Neyveli Thermal Power Plan has to be expanded. Thermal Power Plants at Ennore and Tuticorin should be improved.

During the election time the former Government gave many assurances about the Kalpakkam Atomic Plant. Much expectation was aroused. It should have been completed long back. If Kalpakkam Atomic Plant is completed it will help whole of the Southern Region.

The former Government announced so many programmes about the weavers. But it was all drama. It has not helped the weavers. To help the weavers the Government must take more steps for exporting the handlooms.

A year back the former Prime Minister and the former Finance Minister promised that drinking water would be provided to the city of Madras by bringing Krishna water. That was just a melodrama on Marine Beach. Their promises have been written on the water of Krishna. The people of Madras have not tasted Krishna water but they tasted only common water. I request the Government to take immediate steps to bring Krishna water to the city of Madras to solve the drinking water problem.

The proposal to increase the bed capacity of T.B. Sanatorium Vellore has been pending for a long time. The beds should be increased. Early action should be taken in this regard.

Pending irrigation scheme in North Arcot. Moorihana Dam foundation has been laid near Guduvattam. An assurance was given in the Parliamentary Consultative Committee that necessary sanction will be given. Now the Government could give top priority to the scheme.

With these few words I conclude.

SHRI V. ARUNACHAI AM (Tirunelveli). On behalf of All India Anna D.M.K. I say a few words about the budget. It was thought that the Minister will seek remedy by imposing new taxes or increase old taxes. But our hon. Finance Minister has assured this House that he would overcome the deficit by better collection of overdues to the Government and by improving the performance and results of Public Sector Corporations.

If the Budget had been placed in the Assembly of Tamil Nadu there would have been chances of detailed discussions and deliberation. But here we are rushing through without adequate debate and discussion. Thereby we fail to represent the feelings of the people concerned. I therefore request the hon. Prime Minister through the chair to conduct the State Assembly election as early as possible.

Our beloved leader Puratchi Thalaivar asked the previous Government to conduct the State Assembly elections along with the Parliamentary elections. Unfortunately the previous Government refused to conduct the elections. At least this Government in order to respect their democratic sentiments may conduct the elections without further delay.

Yesterday our Home Minister assured the people of Jammu and Kashmir that they will conduct elections within three months. I think such an assurance should be given to our Tamil Nadu people also.

Sir, our Finance Minister in allotting the amounts under various heads has adopted the salutary principles with care. There is remarkable increase in the allotment of State outlay. It was Rs 201 crores in the last year. Now it has increased to Rs 260.12 crores. It has increased the allotment for education from Rs 125 crores to Rs 141 crores for medical care from Rs 42 crores to Rs 47

[Shri V Arunachalam]

crores for power projects from Rs 20 crores to Rs 31 crores. Similarly the assistance from the Centre to the State Plan in the last year had been assumed at Rs 72.26 crores. Now it is assumed at Rs 91.65 crores. It will be unfair on my part if I fail to mention that the government has failed to allot adequate amount for small scale industries. The allotment for small scale industries has decreased year after year. In 1975-76 the allotment was 98 lakhs. Then it was reduced to 83 lakhs. Now it has fallen to the level of 84.5 lakhs. Similarly allotment for research and training on the industrial side has been decreased without any valid reasons. The people of Tamil Nadu expect from this government that the lapses and errors committed hitherto will be rectified by the present government.

Sir, the ex-Finance Minister imposed a tax on cash crops. It is against the interests of agriculture. All the farmers of Tamil Nadu are against it but they were not able to register their protest against it due to emergency. Then Sir, the previous government enhanced the electric charges by 4 paise per unit. It is highly unjustifiable. It is an additional burden on the expenses of our farmers. In order to measure the seriousness of the problem I will give an example. When the State Government was under the control of Mr Karunanidhi he enhanced the electric charges for pump sets by one paise. The entire State agitated against it and in that agitation 10 persons were shot dead. I hope the Finance Minister will look into this with all seriousness.

Sir, it is unfortunate that the government failed to allot adequate amount for bringing drinking water to the city of Madras. The water dispute between Tamil Nadu and Karnataka is still pending. The previous

government failed to use its good offices to settle this dispute. It is pending for a long time. I therefore, request the Prime Minister to use his good offices to settle this dispute as early as possible.

Sir, free and fair elections are the essence of democracy. We are much grateful to the previous government for having conducted the elections in Tamil Nadu freely and fairly. In Madurai the election was peaceful but after the formation of the Janata Ministry at the Centre the law and order situation in Madras is highly disturbed by anti-social elements with instigation of DMK people. They are taking advantage of the situation and are trying to take the upper hand among the officials. In North Madras some of our workers have been attacked who have sustained injuries. No action has been taken by the police against those who are responsible for this trouble.

Sir, therefore I ask the Home Ministry to look into the matter and take action against those who are responsible for these disturbances. The House is aware that Karunanidhi Ministry was dismissed by the previous Government due to corruption malpractices and misuse of power. To examine the corruption charges a Commission was ordered under the Central Act. Sir Justice Sarkaria has submitted his interim report on seven charges. Now I understand some of the lieutenants of DMK are loitering on the lobby of the Central hall for pressurising the Government to withdraw the cases.

Sir, the actions of the previous government have been approved by the mandate of the people in the poll. You must keep this in mind because if you favour them I duly remind you that it is not only against the interests of the people, it is against the will of the people.

In the Presidential Address you have mentioned about the Indepen-

dence of judiciary You are against non-interference If so, you please allow the law to take its own course

I conclude my speech with these words

SHRI O V ALAGESAN (Arko-nam) Sir, may I congratulate you on your elevation to the high office of Speaker? Your good humour is already having its impact on all sections of the House You have started disciplining the House without appearing to disciplining it I wish you well

May I also congratulate the new Prime Minister and the members of the new Government? I wish them well, I wish them a full tenure in office so that they will translate all their election promises into effective programmes of action

Sir, if I am given an opportunity to speak on the Motion of Thanks to the President's Address I propose to say something about the election results as a whole Now, I would like to interpret the verdict of the people of Tamil Nadu The verdict of the people of Tamil Nadu was both against and for It was against the oppressive black rule of Karunanidhi's DMK Government for the past seven long years The verdict also demanded that Government should take action and prosecute Shri Karunanidhi and his colleagues on the findings of the Sarkaria Commission Then, Sir, the verdict was also for a stable Government at the Centre under Shri-mati Indira Gandhi Let us not mistake it It is true that this latter verdict has been cancelled by people elsewhere in the country We respect the verdict of the Indian people as a whole Similarly, let us hope others will also understand, appreciate and respect the verdict of the people in Tamil Nadu Otherwise, imbalances in governmental action are bound to develop causing injury to national interests as a whole

Sir, I am sorry that allegations should be made against the Governor of Tamil Nadu It was voiced on the floor of this House also It is very unfair to level such allegations against the Governor who did serve Tamil Nadu interests well The office of a Governor is a political one and it is not a very enviable one The Governor is liable to suspicion that he always sides the Party that runs the government either at the Centre or the State As I said, I hope such accusations will not be made and the Governor has made the unusual gesture of resigning his post I hope that will be appreciated that having served the people of Tamil Nadu when he found a different government at the Centre he chose to resign his high office That resignation may be accepted and a new incumbent may be put in his place but I hope allegations against the Governor will not hereafter be made As the hope was expressed earlier I expect that elections to the Tamil Nadu Assembly will be held as early as possible In fact, this assurance was given by the Prime Minister himself in his first News Conference In the meanwhile, I would plead that the MPs Committee on Tamil Nadu be constituted so that it is enabled to tackle the problems of Tamil Nadu as a whole I hope the regular budget will be prepared by the new Government and will be passed by the new Assembly Now, we are only concerned with Vote on Account Here I wish to make a few remarks

Sir, a mention was made about the Electricity Department as to how it has deteriorated over the years under the DMK rule Now, I am sorry to say that the Adusers' regime has not had enough time to completely overhaul the Department It has been saddled with too much personnel It is suffering under gross inefficiency and the cost of the inefficiency has been passed on to the poor farmers. That is the most tragic aspect of the whole case

[Shri O V Alagesan]

New revenue schemes were introduced by the Electricity Board. One was the additional deposit scheme and the other was surcharge on pump sets. This is a highly unnecessary impost which has been levied by the Electricity Department. I am told that they hope to collect Rs 75 crores from the people. I am told that the collection of these two imposts was suspended before the elections and I hope that they will be given up altogether. Similarly they hope to increase their revenue collections by about Rs 371 crores by charging an additional wet cess of Rs 20 per acre. This is also a heavy burden on the farmers and I hope the new budget will see that this is scrapped. Yesterday some people in a lighter way were making fun of the 20 point programme. My friend Mr Venkataraman recited some of the benefits that have flowed to the poorer and weaker sections of the society from the 20 point programme, especially in the matter of house sites and housing for Harijans. For providing houses about 500 acres have been acquired at a cost of Rs 23.0 lakhs and they were allotted to the weaker sections of society. Similarly a huge sum has been spent on housing for Harijans. Much more is yet to be done in this direction. When some hon. Members make fun of 20 point programme it means that they want to make fun of the former Prime Minister Shrimati Indira Gandhi. This 20 point programme deals with the life problem of the poorer sections of the society. When they make fun of the 20 point programme they forget that they do not make fun of the author of the programme but the beneficiaries of the programme. I hope good sense will prevail and they will desist from making fun of the 20-point programme because it has benefited weaker sections of society.

Now in the handloom sector we find some problems. They are more or less common. The minimum

wage have electrified the landless Harijan agricultural labour. That is one reason why they voted massively for the alliance candidates, apart from the fact that they belonged to AIADMK or Congress. So minimum wages should be enforced uniformly throughout the State. There is a machinery that has been brought about for this. I hope it will be made to function effectively and before long minimum wages will be operative in all the villages of Tamil Nadu.

There are more than 30,000 families of handloom weavers in my constituency alone. They have been suffering from high prices of yarn. This hardship should be removed. Commercial banks were asked to grant loans to individual weavers. I think the limit was Rs 500 for admission to existing societies or forming new societies. A large number of applications for loan are pending with commercial banks. I hope the Finance Minister will give instructions to the banks to grant these loans as expeditiously as possible.

Mention was made about drought relief and flood-relief work. A sum of Rs 27.52 crores was given by the Centre for drought relief and Rs 41 crores for flood relief. I pay a tribute to the Governor and the other officers including the Advisers who worked day and night to relieve the distress caused by the flood. They have also carried out a very effective programme of drought relief. As many as 6,000 bore wells have been sunk to provide drinking water. I hope they will be properly maintained so that the capital expenditure incurred on them will not go waste. All these Rs 31 crores and odd have been well spent. In contrast most of the amount of Rs 17 crores which the DMK Government got at the time of the previous drought went into the pockets of the ministers and members of the DMK. That is the qualitative change brought about in the situation in Tamil Nadu under Presidents rule.

Another instance can be given to show how the old cobwebs were cleaned and that is in the matter of admissions to the engineering and medical colleges. You ask any parent whether he was able to admit his son or daughter into a medical or engineering college without bribing somebody and he answer will be no. After the President's rule was introduced ask any parent whether he has given any money for the admission of his son or daughter to any medical or engineering college. The answer will be no. That is the difference between the DMK regime and the President's rule.

A committee was appointed to go into the question of avoiding damage by floods to the Madras city. This committee has made several useful proposals which may be examined. But they have made one proposal which is not commendable. They have made a curious suggestion that the Chambarampakkam tank which irrigates a large area in Chingleput district should be converted into a source of water supply to the Madras city. It is based on the fallacy that if an irrigation source is converted into a drinking water supply source the flood problem will be automatically solved. That is not the case. I hope they will not do anything of this type which will harm the ryots of Chingleput district.

There is a proposal to convert the general hospital at Madras into post-graduate institute. My suggestion is that this will be not in the best interest of the State. If a post-graduate medical institute is to be started in the South a new one can be started and set up slowly so that it attains the status of a real research organisation.

With these words I support the Vote on Account on Tamil Nadu.

SHRI K. MAYATHEVAR (Dindigul) Regarding Tamil Nadu Budget, I welcome the vote on Account pro-

posed by the new Finance Minister. But, I demand more and more money to be given to Tamil Nadu because the people of Tamil Nadu had been facing untold hardship under the terrible regime most corrupt regime led by the then Chief Minister of Tamil Nadu Shri Karunanidhi.

Shri Karunanidhi has raised two slogans. One slogan is autonomy of the State. He had said that on 9th May 1975 at Marina Beach that they would knock out Tamil Nadu work for a separate Tamil Nadu State from the Indian territory. He made open speeches. Shri Karunanidhi, Shri Nedunchazian, Education Minister Shri Ambazagan, Health Minister these three Ministers had made this statement on a public platform in Marina Beach. So far no action has been taken. Now the Janata Government is invited by the Anna DMK representing 5 crores of people to take action. We want national integration and not disintegration. We want only to be Indian. Now after the election the people dealt him an irrecoverable blow and voted in favour of Congress and Anna DMK parties. He is again raising ill feeling between the north and the south.

His another slogan is sons of the soil. He has got two theories, one autonomy of the State and another theory is 'sons of the soil'. It means Tamil people must work in Tamil Nadu, Kerala people should work in Kerala, Delhi people should work in Delhi, Bengalis should go to Bengal. Where can we go? We are all Indians. (Interruptions.)

MR. SPEAKER Please come to the point. You told me that you wanted to mention something about transport. (Interruptions.)

SHRI K. MAYATHEVAR There is a black law passed by then DMK Government. The hon. Speaker also knows law. I am also a lawyer.

MR. SPEAKER I am not a lawyer

SHRI K MAYATHEVAR There are so many lawyers here. There are so many educated people here. Mr Ramachandran also knows law. There is a law enacted by them called Public Men's Conduct Act. Under this law public can make complaint if they have any allegations of corruption against MLAs, MPs, Ministers and public men. In this law, wonderful law I have never come across any legal jurisprudence whether IPC or PC or any law of the land in India or international law that the complainant should go to the court against alleged corruption against Ministers or public men and if the complainant fails to establish a case, he is convicted automatically by the same court for seven years imprisonment which I have never heard of in jurisprudence as a criminal lawyer for 15 years in the Madras High Court. It is a black law. This is a bad law. This is not at all law but this is 'Abdullah law'. Therefore in the legal sense in the sense of conscience in the sense of morality I pray that Government must withdraw and repeal this black law, inhuman law, illegal law, unlawful law, unconstitutional law. It should be repealed immediately. (Interruptions)

There is a transport strike going on in the Madras city. It has affected nearly 40 lakhs of people in Madras city. The strike has been withdrawn partially, and not totally. It is going on partially. More than 50 per cent of the workers are on strike. Lakhs of students are unable to go to their examinations. Government is spending Rs. 50,000 for transporting students and officials to their destinations. There are the maintenance of transport facilities and the role of the Governor should be looked into. The Chief Secretary of the Tamil Nadu Government should be asked to bring the strike to an end and make buses run normally.

It is said in the papers circulated to us that Rs. 1382 crores will be the figure for deficit financing. This deficit financing is the result of the relief works implemented by the then government in Tamil Nadu. Even now, relief work has to be done throughout the State of Tamil Nadu, or at least in 4 districts. Madurai district did not get any rain during this year as also in 1976-77. Ramnathapuram, Madurai, Salem and Dharmapuri are affected by drought conditions. I request the government to instruct the Tamil Nadu government to collect land revenue in these 4 districts to postpone the collection of the agricultural loans given by government and to start drought relief work once again. I am told that no machinery from the Central Government has gone to Tamil Nadu. The State Government should be given a green signal to recommence the relief work in some more districts in addition to the 4 districts I have mentioned.

Earlier there was political corruption in Tamil Nadu. Now political corruption has been put an end to by the operation of the democratic process of elections. However, official corruption is there on a large scale in Tamil Nadu, especially in the Tamil Nadu Public Service Commission. For group I posts a sum of Rs. 45,000 was previously paid to the ministers. Now I do not know who is receiving it. The Home Ministry should look into this. For posts in group I i.e. for posts like deputy superintendents Rs. 45,000 are charged for group II posts Rs. 25,000 for group III posts Rs. 15,000 and for group IV Rs. 10,000 are charged. The sons of the poor agricultural farmers are unable to get into any job. (Interruptions) This is happening even under the President's rule. What does it mean?

MR. SPEAKER Please conclude now. We are losing time. Nagaland and Pondicherry are yet to be taken up.

SHRI K MAYATHEVAR I am finishing in 2 minutes. Now about the price rise in Tamil Nadu.

MR SPEAKER Your party man has already spoken on it. You are now repeating it. I will now call the hon. Minister. Mr. Alagesan said that there was no corruption. You say that there is corruption.

SHRI K MAYATHEVAR There is another thing I would like to mention. The Janata Government has been formed at the Centre. But the Janata meal which was being supplied in Tamil Nadu at the rate of one rupee per meal has been suspended. Hoteliers are not supplying Janata meals after the lifting of the Emergency. What is the reason? Kindly take note of this and ask the Governor to ask the hoteliers to supply Janata meal to the public. People should not ask what the Janata Government is doing. Janata meal should be supplied by the Janata Government.

With these words I conclude my speech.

*SHRI S. G. MURUGAIYAN (Nagapattinam) Hon. Mr. Speaker Sir, on behalf of the Communist Party of India, I rise to express my views on the Budget of Tamil Nadu.

At the very outset I would like to demand that Elections to the Legislative Assembly in Tamil Nadu should be held immediately without any further delay. Today's newspapers gave an indication that the Elections might be held in June 1977. I do not know how far it is true. The Parliamentary Elections so far as Tamil Nadu is concerned have proved beyond any shadow of doubt that the Central Government's dismissal of the corrupt Karunanidhi Government in Tamil Nadu was proper and correct. On behalf of the Communist Party of India, I wish to stress that the Elections to the Assembly must be held as early as possible so that the people of Tamil Nadu can have the Government which they like.

The Sarkaria Commission has given its verdict on seven charges out of so many allegations made against the Karunanidhi Government. The Central Government should take action on these proved 7 charges against the Karunanidhi Government. The Government should also pursue vigorously their inquiry against the other allegations too. Many allegations of malpractices of the DMK Government in Tamil Nadu, particularly with reference to the Department of Cooperation and the Department of Religious Endowments should be investigated with greater seriousness. I understand that some henchmen of Karunanidhi Government are hovering around Parliament House to get some relief from the rigours of persistent inquiry in the scandals. I would like to sound a word of caution to the Central Government that they should not show any signs of encouragement to these hangers-on. Those whose misuse of power and indulgence in corrupt practices have been proved should not be pardoned. The people of Tamil Nadu have expressed their wish through the recent parliamentary elections and I am sure that the Central Government would not take any action against the wish of the 5 crore people of Tamil Nadu.

I would like to reiterate that the people of Tamil Nadu should be given the earliest opportunity to have a Government of their own choice by the conduct of elections without delay. Before the elections are ordered, the electoral rolls should be completed. I stress this point because in the recent parliamentary elections hundreds and thousands of voters of many years standing and new entrants have not found their names in the electoral rolls. This should not be allowed to happen again in the Assembly Elections.

Sir, I would like to take this opportunity that unfortunately stay orders have been obtained in from the Supreme Court by the money lenders in regard to the implementation of certain provisions of the law for the abolition of rural indebtedness with particular

[Shri S G Murugaiyan]

reference to those people having an income of less than Rs 2400 per annum in whose cases their indebtedness was to be repealed. The Central Government should get vacation of these stay orders as these people are poor agriculturists and they have been afflicted seriously by the drought in Tamil Nadu. I do not know the reasons for the tardiness in the implementation of the Recovery of Loans Act. The small agriculturists should be exempted from the recovery of such loans at least during the period of acute drought. Similarly the Land Ceiling Act which has been prepared according to the Central guidelines—12.5 acres per family—should be implemented vigorously. I am unable to appreciate the delay in its implementation. Similarly the Act regarding following ownership rights on the tillers of the soil has not seen the light of the day. It should be implemented forthwith.

In Tamil Nadu during the past three years there has been recurring drought which is so acute that there is severe scarcity of drinking water both for human beings and cattle. The agricultural labour has deserted the hearth and home. Besides taking drought relief measures like de-silting of tanks, deepening of wells, laying of roads etc. the people must be given drinking water facilities. The Central Government should allot more funds for this purpose. The drought is so acute that it is feared that even the Kaveri Delta area may become an arid zone. When the natural causes have created havoc on the people of Tamil Nadu, the D.M.K. Government in Tamil Nadu multiplied their misery by unnecessarily antagonising the Karnataka Government in regard to Kaveri Water dispute. Instead of seeking meaningful compromise in the implementation of the Agreement about the sharing of waters, they confronted the Karnataka Government with extraneous issues in consequence of which the problem of sharing of Kaveri water could not be solved amicably. The Kaveri Delta has

suffered immeasurably and it is feared that only one-third of the irrigated area will get enough water. The Granary of Tamil Nadu, i.e. the Tanjore District is dependent on Mettur Reservoir for cultivation. Unless the river water dispute between the two States is solved quickly, there is no hope for the revival of agricultural activities in this area. I do not know what the Commission constituted for this purpose is doing. The Report of this Commission should be expedited. The agreements in regard to the sharing of waters between the two States should be implemented without any delay. The agricultural activities in Ramanathapuram, Trichy, Coimbatore, Salem and Madurai Districts in Tamil Nadu have come to a standstill on account of drought. In addition to this, if Kaveri Delta is also denied adequate waters, then the entire Tamil Nadu will become an arid zone. That is why I emphasise the need for early settlement of the river water disputes between Tamil Nadu and Karnataka. At least in the districts afflicted by drought, the collection of land revenue and loans from Cooperative Banks and Societies and tenants' dues should be suspended forthwith which will be a great relief to the poor agriculturists.

With these words, I thank you for giving me an opportunity to say a few words.

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. N. PATEL) I have listened to the discussion with great interest. I assure the hon. Members that the various suggestion which they were good enough to make will be carefully examined and that appropriate action will be taken. I do not think that I can give any immediate answers to the various points raised. I however entirely agree with Mr. Venkataraman that a matter like drought is something which ought to be tackled on a permanent basis, rather than on an ad hoc basis. We will see that the State Government proceeds to take action in that direction.

Numerous other points were made. For instance, there was a general request that the Salem steel plant must be proceeded with. I can only say that I will give full consideration to it before I present my Budget in May.

It was said that the law and order situation in the State had deteriorated. As it is under President's rule, it ought not to have been so. If it is so, I will find out the reasons for it.

So much was said about DMK corruption and so on. There is a Commission which has been appointed and it has gone into these matters (in interruptions) . . .

All I can say is that the Prime Minister had indicated whatever he had with regard to this matter in a general way. He said that it would take its own course. That is the general statement which the Prime Minister made and I do not see any reason myself to say that that will be modified in so far as Tamil Nadu is concerned. So far as elections are concerned, I think on that too the Prime Minister had made certain observations and they too will come about as soon as possible. I think as soon as possible is a reasonable assurance that any Government can give. I think in view of this, the hon. Members will be satisfied with the assurance made on the various points in regard to administration of the DMK. One hon. Member was pleased to say that the DMK Government is corrupt, that is to say, the popular rule, popular representatives are corrupt. I do not know where we are to go. I hope these charges will not be made. The general assurance is this. So far as this Government is concerned, corruption will not be tolerated at any level. But, at the same time, let us not make these sweeping remarks that there is corruption every-

where among the officials as well as in the public mind.

SHRI M. KALYANASUNDARAM (Tiruchirappalli): There is a specific commission of enquiry which has been appointed and it has been proceeding with it. Now the question is whether it will continue or not.

SHRI H. M. PATEL: If it does not, then you please protest about it. With these remarks, I commend that the demands be passed.

MR. SPEAKER: The question is

"That the respective sums not exceeding the amounts on Revenue Account and Capital Account shown in the Third column of the Order Paper be granted to the President out of the Consolidated Fund of the State of Tamil Nadu on account, for or towards defraying the charges during the year ending on the 31st day of March 1978 in respect of the heads of demands entered in the second column thereof against Demands Nos. 1 to 57."

The motion was adopted.

16.45 hrs.

TAMIL NADU APPROPRIATION (VOTE ON ACCOUNT) BILL*, 1977

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): Sir, I beg to move for leave to introduce a Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Tamil Nadu for the services of a part of the financial year 1977-78.

[Shri S G Murugaiyan]

reference to those people having an income of less than Rs 2400 per annum in whose cases their indebtedness was to be repealed. The Central Government should get vacation of these stay orders as these people are poor agriculturists, and they have been afflicted seriously by the drought in Tamil Nadu. I do not know the reasons for the tardiness in the implementation of the Recovery of Loans Act. The small agriculturists should be exempted from the recovery of such loans at least during the period of acute drought. Similarly, the 1000 Ceiling Act which has been prepared according to the Central guidelines—125 acres per family—should be implemented vigorously. I am unable to appreciate the delay in its implementation. Similarly the Act regarding bottom ownership rights on the tillers of the soil has not seen the light of the day. It should be implemented forthwith.

In Tamil Nadu during the past three years there has been recurring drought which is so acute that there is severe scarcity of drinking water both for human beings and cattle. The agricultural labour has deserted the hearth and home. Besides taking drought relief measures like de-silting of tanks, deepening of wells, laying of roads etc. the people must be given drinking water facilities. The Central Government should allot more funds for this purpose. The drought is so acute that it is feared that even the Kaveri Delta area may become an arid zone. When the natural causes have created havoc on the people of Tamil Nadu the DMK Government in Tamil Nadu multiplied their misery by unnecessarily antagonising the Karnataka Government in regard to Kaveri Water dispute. Instead of seeking meaningful compromise in the implementation of the Agreement about the sharing of waters, they confronted the Karnataka Government with extraneous issues in consequence of which the problem of sharing of Kaveri water could not be solved amicably. The Kaveri Delta has

suffered immeasurably and it is feared that only one-third of the irrigated area will get enough water. The Granary of Tamil Nadu, i.e. the Tanjore District is dependent on Mettur Reservoir for cultivation. Unless the river water dispute between the two States is solved quickly, there is no hope for the revival of agricultural activities in this area. I do not know what the Commission constituted for this purpose is doing. The Report of this Commission should be expedited. The agreements in regard to the sharing of waters between the two States should be implemented without any delay. The agricultural activities in Ramanathapuram, Trichy, Coimbatore, Salem and Madurai Districts in Tamil Nadu have come to a standstill on account of drought. In addition to this, if Kaveri delta is also denied adequate waters then the entire Tamil Nadu will become an arid zone. That is why I emphasise the need for early settlement of the river water disputes between Tamil Nadu and Karnataka. At least in the districts afflicted by drought, the collection of land revenue and loans from Cooperative Banks and Societies and tenants' dues should be suspended forthwith which will be a great relief to the poor agriculturists.

With these words I thank you for giving me an opportunity to say a few words.

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H M PATEL) I have listened to the discussion with great interest. I assure the hon. Members that the various suggestion which they were good enough to make will be carefully examined and that appropriate action will be taken. I do not think that I can give any immediate answers to the various points raised. I however entirely agree with Mr Venkataraman that a matter like drought is something which ought to be tackled on a permanent basis, rather than on an ad hoc basis. We will see that the State Government proceeds to take action in that direction.

Numerous other points were made. For instance there was a general request that the Salem steel plant must be proceeded with. I can only say that I will give full consideration to it before I present my Budget in May.

It was said that the law and order situation in the State had deteriorated. As it is under President's rule it ought not to have been so. If it is so I will find out the reasons for it.

So much was said about DMK corruption and so on. There is a Commission which has been appointed and it has gone into these matters (in interruptions).

All I can say is that the Prime Minister had indicated whatever he had with regard to this matter in a general way. He said that it would take its own course. That is the general statement which the Prime Minister made and I do not see any reason myself to say that that will be modified in so far as Tamil Nadu is concerned. So far as elections are concerned I think on that too the Prime Minister had made certain observations and that too will come about as soon as possible. I think as soon as possible is a reasonable assurance that any Government can give. I think in view of this the hon. Members will be satisfied with the assurance made on the various points in regard to administration of the DMK. One hon. Member was pleased to say that the DMK Government is corrupt. That is to say the popular rule, popular representatives are corrupt. I do not know where we are to go. I hope these charges will not be made. The general assurance is this. So far as this Government is concerned corruption will not be tolerated at any level. But, at the same time let us not make these sweeping remarks that there is corruption every-

where among the officials as well as in the public mind.

SHRI M. KALYANASUNDARAM (Tiruchirappalli) There is a specific commission of enquiry which has been appointed and it has been proceeding with it. Now the question is whether it will continue or not.

SHRI H. M. PATEL If it does not then you please protest about it. With these remarks I commend that the demands be passed.

MR. SPEAKER The question is

That the respective sums not exceeding the amounts on Revenue Account and Capital Account shown in the Third column of the Order Paper be granted to the President out of the Consolidated Fund of the State of Tamil Nadu on account for or towards defraying the charges during the year ending on the 31st day of March 1978 in respect of the heads of demands entered in the second column thereof against Demands Nos. 1 to 57.

The motion was adopted.

16.48 hrs.

**TAMIL NADU APPROPRIATION
(VOTE ON ACCOUNT) BILL*, 1977**

* THE MINISTER OF FINANCE AND REVENUE AND BANKING (**SHRI H. M. PATEL**) Sir, I beg to move for leave to introduce a Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Tamil Nadu for the services of a part of the financial year 1977-78.

"That leave be granted to introduce a Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Tamil Nadu for the services of a part of the financial year 1977-78."

The motion was adopted.

SHRI H. M. Patel I introduce the Bill.

Sir I beg to move

"That the Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Tamil Nadu for the services of a part of the financial year 1977-78 be taken into consideration."

MR. SPEAKER The question is

"That the Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Tamil Nadu for the services of a part of the financial year 1977-78 be taken into consideration."

The motion was adopted

MR. SPEAKER We shall now take up clauses The question is

"That Clauses 2, 3 the Schedule Clause 1 the Enacting Formula and the Title stand part of the Bill"

Clauses 2, 3 the Schedule, Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI H. M. PATEL I beg to move

"That the Bill be passed."

MR. SPEAKER The question is

"That the Bill be passed."

The motion was adopted

16.50 hrs.

SUPPLEMENTARY DEMANDS* FOR GRANTS (TAMIL NADU) 1976-77

MR. SPEAKER The question is

"That the respective Supplementary sums not exceeding the amounts on Revenue Account and Capital Account shown in the third column of the Order Paper be granted to the President out of the Consolidated Fund of the State of Tamil Nadu, to defray the charges that will come in course of payment during the year ending on the 31st day of March 1977 in respect of the following demands entered in the second column thereof—

Demands Nos 1 to 4 6 8 9 11 to 15 17 to 20 22 to 31 33 to 39 41 to 47 and 49 to 57"

The motion was adopted

†Introduced with the recommendation of the Vice-President acting as President.

††Moved with the recommendation of the Vice-President acting as President.

*Moved with the recommendation of the Vice President acting as President.

[List of Supplementary Demands for Grants (Tamil Nadu) for
1976-77 voted by Lok Sabha]

No. of Demand	Name of Demand	Amount of Demand for Grant	
1	2	3	
		Revenue Rs.	Capital Rs.
1.	Land Revenue Department	34,52,000	..
2.	State Excise Department	7,38,000	..
3.	Motor vehicles Acts — Administration	11,33,000	..
4.	General Sales Tax and other Taxes and Duties— Administration	85,37,000	.
6.	Registration.	19,78,000	..
8.	Elections	1,75,78,000	..
9.	Head of State, Ministers and Headquarters staff	2,02,55,000	..
11.	District Administration.	52,80,000	..
12.	Administration of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959	6,10,000	..
13.	Administration of Justice.	33,47,000	..
14.	Jails	33,24,000	..
15.	Police.	1,93,04,000	..
17.	Education	17,45,33,000	..
18.	Medical	6,03,00,000	..
19.	Public Health	14,68,03,000	..
20.	Agriculture	16,000	..
21.	Animal Husbandry	2,00,23,000	..
23.	Co-operation	66,76,000	..
24.	Industries	1,000	..
25.	Caneboys	8,17,000	..
26.	Handlooms and Textiles	3,43,65,000	..
27.	Khadi	11,64,000	..
28.	Community Development Projects, Etc.	4,65,60,000	..
29.	Labour Including Factories	42,57,000	.
30.	Social Welfare	53,38,000	..
31.	Welfare of the Scheduled Tribes and Castes, Etc.	1,54,37,000	..
33.	Housing	1,74,65,000	..
34.	Urban Development	48,44,000	..

MR. SPEAKER: The question is*

The motion was adopted.

"That leave be granted to introduce a Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Tamil Nadu for the services of a part of the financial year 1977-78"

Clauses 2, 3, the Schedule, Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI H. M. PATEL: I beg to move:

"That the Bill be passed."

MR. SPEAKER: The question is*

"That the Bill be passed."

The motion was adopted.

SHRI H. M. Patel: I introduce the Bill.

Sir, I beg to move††.

"That the Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Tamil Nadu for the services of a part of the financial year 1977-78, be taken into consideration."

16.50 hrs.

SUPPLEMENTARY DEMANDS* FOR GRANTS (TAMIL NADU), 1976-77

MR. SPEAKER: The question is.

MR. SPEAKER: The question is*

"That the Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Tamil Nadu for the services of a part of the financial year 1977-78, be taken into consideration"

"That the respective Supplementary sums not, exceeding the amounts on Revenue Account and Capital Account shown in the third column of the Order Paper, be granted to the President out of the Consolidated Fund of the State of Tamil Nadu, to defray the charges that will come in course of payment during the year ending on the 31st day of March 1977, in respect of the following demands entered in the second column thereof—

The motion was adopted

MR. SPEAKER. We shall now take up clauses. The question is

Demands Nos 1 to 4, 6, 8, 9, 11 to 15, 17 to 20, 22 to 31, 33 to 39, 41 to 47 and 49 to 57."

The motion was adopted

"That Clauses 2, 3, the Schedule Clause 1, the Enacting Formula and the Title stand part of the Bill"

† Introduced with the recommendation of the Vice-President acting as President.

†† Moved with the recommendation of the Vice-President acting as President.

* Moved with the recommendation of the Vice-President acting as President

MR. SPEAKER The question is.

The motion was adopted.

"That leave be granted to introduce a Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Tamil Nadu for the services of a part of the financial year 1977-78."

The motion was adopted.

SHRI H. M. Patel: I introduce the Bill.

Sir I beg to move†

"That the Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Tamil Nadu for the services of a part of the financial year 1977-78, be taken into consideration."

MR. SPEAKER. The question is

"That the Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Tamil Nadu for the services of a part of the financial year 1977-78, be taken into consideration."

The motion was adopted.

MR. SPEAKER. We shall now take up clauses. The question is:

"That Clauses 2, 3, the Schedule Clause 1, the Enacting Formula and the Title stand part of the Bill."

Clauses 2, 3, the Schedule, Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI H. M. PATEL: I beg to move:

"That the Bill be passed."

MR. SPEAKER The question is:

"That the Bill be passed."

The motion was adopted.

16.50 hrs.

SUPPLEMENTARY DEMANDS* FOR GRANTS (TAMIL NADU), 1976-77

MR. SPEAKER: The question is.

"That the respective Supplementary sums not exceeding the amounts on Revenue Account and Capital Account shown in the third column of the Order Paper, be granted to the President out of the Consolidated Fund of the State of Tamil Nadu, to defray the charges that will come to course of payment during the year ending on the 31st day of March, 1977, in respect of the following demands entered in the second column thereof—

Demands Nos 1 to 4, 6, 8, 9, 11 to 15, 17 to 20, 22 to 31, 33 to 39, 41 to 47 and 49 to 57"

The motion was adopted.

†Introduced with the recommendation of the Vice-President acting as President.

‡Moved with the recommendation of the Vice-President acting as President.

*Moved with the recommendation of the Vice-President acting as President.

[List of Supplementary Demands for Grants (Tamil Nadu) for 1976-77 voted by Lok Sabha]

No. of Demand	Name of Demand	Amount of Demand for Grant	
1	2	3	
		Revenue Rs.	Capital Rs.
1.	Land Revenue Department	34,52,000	..
2.	State Excise Department	7,38,000	..
3.	Motor vehicles Acts — Administration	11,33,000	..
4.	General Sales Tax and other Taxes and Duties— Administration	85,37,000	
6.	Registration.	19,78,000	..
8.	Elections	1,75,78,000	..
9.	Head of State, Ministers and Headquarters staff	2,02,55,000	..
11.	District Administration.	52,80,000	..
12.	Administration of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959	6,10,000	..
13.	Administration of Justice.	33,47,000	..
14.	Jails	33,24,000	..
15.	Police.	1,93,04,000	..
17.	Education	17,45,33,000	..
18.	Medical	6,03,00,000	..
19.	Public Health	14,68,03,000	..
20.	Agriculture	16,000	..
22.	Animal Husbandry	2,00,23,000	..
23.	Co-operation	66,26,000	..
24.	Industries	1,000	..
25.	Cinchona	8,17,000	..
26.	Handlooms and Textiles	3,43,65,000	..
27.	Kraft	11,64,000	..
28.	Community Development Projects, Etc.	4,65,60,000	..
29.	Labour Including Factories	42,57,000	..
30.	Social Welfare	53,38,000	..
31.	Welfare of the Scheduled Tribes and Castes, Etc.	1,54,31,000	..
33.	Housing	1,74,65,000	..
34.	Urban Development	48,44,000	..

1	2	3
		Revenue Rs. Capital Rs.
35	Civil Supplies . . .	34,23,000 ~
36	Irrigation	3,50 88,000 .2
37	Public Works — Buildings	96,28,000
38	Public Works— Establis ment and Tools and Plant	1,35,39,000 .
39	Roads and Bridges	9,10,76,000 .
41	Relief on Account of Natural Calamities	84,47,000 .
42	Pensi ns and ct er Retirement Benefits	2,64,53 000 .
43	Miscellaneous .	5,000 .
44	Stationery and Printing	39,38,000
45	Forest Department	39,21,000
46	Compensation and Assignments	1,03,77,000
47	Compensation to Zamindars . . .	92,00,000
49	Capital Outlay on Agriculture .	5,000
50	Capit:l Outlay on Industrial Development .	3,98 94,000
51	Capital Outlay on Irrigation . . .	3 50,10,000
52	Capital Outlay on Public Works—Buildings .	56,16,000
53	Capital Outlay on Roads and Bridges . . .	1,71 .6 110
54	Capital Outlay on Road Transport Services and Shipping . . .	1,000
55	Capital Outlay on Forests . . .	27,67,000
56	Miscellaneous Cap ital Outlay	6,62 51,000
57	Loans and Advances by the State Government	52 94,11,000

16 51 hrs

MR SPEAKER The question is

TAMIL NADU APPROPRIATION BILL, 1977

THE MINISTER OF FINANCE AND REVENUE AND BANKING (Shri H M Patel) I beg to move for leave to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Tamil Nadu for the services of the financial year 1976 77

"That leave be granted to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Tamil Nadu for the services of the financial year 1976 77

The motion was adopted.

SHRI H M PATEL I introduce the Bill.

**Published in Gazette of India Extraordinary, Part II section 2 dated 30 3-77

†Introduced with the recommendation of the Vice President acting as President.

I beg to move††

That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Tamil Nadu for the services of the financial year 1976-77 be taken into consideration

MR SPEAKER The question is

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Tamil Nadu for the services of the financial year 1976-77 be taken into consideration

The motion was adopted

MR SPEAKER We now take up the clause-by clause consideration of the Bill

The question is

"That Clauses 2 and 3, the Schedule, Clause 1, the Enacting Formula and the Title stand part of the Bill"

The motion was adopted

Clauses 2 and 3 the Schedule, Clause 1 the Enacting Formula and the Title were added to the Bill

SHRI H M PATIL I beg to move

"That the Bill be passed."

MR SPEAKER The question is

"That the Bill be passed"

The motion was adopted

MR SPEAKER Now, we have very short time available for both the Nagaland and the Pondicherry Budgets. If you want again all parties to speak I am helpless

SHRI ARAVINDA BALA PAJANOR (Pondicherry) As far as Pondicherry Budget is concerned I rise on a point of order

MR SPEAKER You can make a submission or say something. A point of order is something which I cannot understand. There is nothing before the House now

16 54 hrs

NAGALAND BUDGET 1977-78—
GENERAL DISCUSSION AND
DEMANDS†† FOR GRANTS ON
ACCOUNT 1977-78

MR SPEAKER We now take up the Nagaland Budget

Motion moved†

That the respective sums not exceeding the amount on Revenue Account and Capital Account shown in the third Column of the Order Paper, be granted to the President out of the Consolidated Fund of the State of Nagaland on account, for or towards defraying the charges during the year ending on the 31st day of March, 1978, in respect of the heads of demands entered in the second column thereof against Demands Nos 1, 3 to 9 and 12 to 54."

††Moved with the recommendation of the Vice-President acting as president.

[List of Demands for Grants on Account (Nagaland) for 1977-78 submitted to the vote of Lok Sabha]

No. of Demand	Name of Demands	Amount of Demand for Grant on account	
		Revenue Rs.	Capital Rs.
1.	State Legislature	17,08,000	..
3.	Council of Ministers	3,57,000	..
4.	Administration of Justice	5,43,000	..
5.	Election	9,90,000	..
6.	Land Revenue, Stamps and Registration	6,28,000	..
7.	State Excise	3,33,000	..
8.	Sales Tax	3,96,000	..
9.	Taxes on Vehicles	2,10,000	..
12.	Civil Secretariat	49,29,000	..
113.	District Administration Special welfare scheme and Tribal Council	81,67,000	.
14.	Treasury and Accounts Administration	4,50,000	.
115.	Special expenditure on maintenance of law and order including contribution for pensions and gratuities	4,17,000	..
116.	Village Guards	20,00,000	..
17.	Civil Police and Fire Service Unit	2,97,43,000	4,17,000
18.	Jails	20,00,000	..
19.	Stationery and Printing.	14,58,000	..
20.	Vigilance Commission	3,33,000	..
21.	Workshop Organisation	4,55,000	..
22.	Nagaland Houses	2,29,000	..
23.	Administrative Training Institute	1,54,000	..
24.	State Lotteries	7,48,000	.
25.	Pensions and other Retirement Benefits	7,08,000	.
26.	Education	2,91,03,000	.
27.	Art and Culture and Gazetteers Units	4,98,000	.
28.	Medical, Public Health and family Planning	1,60,15,000	.
29.	Urban Development	6,31,000	.
30.	Information, publicity and Tourism	14,88,000	.

1	2	3
	Revenue	Capital
	Rs.	Rs.
31. Employment Exchange	1,08,000	..
32. Labour	63,000	.
33. Community Development	35,42,000	..
34. Social Welfare	21,48,000	..
35. Soldiers, Sailors and Airmens, Board	50,000	..
36. Social Security Welfare and community Services	7,50,000	
37. Evaluation Unit	67,000	.
38. Co-operation	13,88,000	15,79,000
39. Statistics	6,08,000	..
40. Weights and Measures	1,92,000	..
41. Supply Office at Calcutta	71,000	.
42. Agriculture, Minor Irrigation, Fisheries, etc.	97,35,000	..
43. Soil Conservation	33,24,000	..
44. Grain Supply Scheme	20,71,000	1,16,40,000
45. Animal Husbandry and Dairy Development	60,70,000	83,000
46. Forest	1,18,29,000	..
47. Industries	58,98,000	13,54,000
48. Mineral Development	12,90,000	.
49. Power Projects	1,61,12,000	79,58,000
50. Road Transport	32,08,000	12,91,000
51. Housing Loans and Loans to Government Servants ; . . . .	..	5,83,000
52. Public Works, Housing, Roads and Bridges	6,60,11,000	2,60,56,000
53. Functional Buildings and other Developmental Schemes . . . . .	..	81,59,000
54. Water Supply Schemes	75,00,000	55,83,000

SHRI ANNASAHAB P. SHINDE (Ahmednagar): Mr. Speaker, Sir, I would not have normally taken the valuable time of the House for speaking on the Nagaland Budget. But as all the hon. Members know, Nagaland is a far away area from the capital. It is a border area. It is a very susceptible area from a number of points of view and therefore it

requires support, appreciation and sympathy of all the sides of the House. It is not Nagaland alone but the whole of north-eastern region which has been known as the problem area in our country. I think, when we discuss these problems, they have to be taken out of the party

[Shri Annasaheb P Shinde]

certain consensus in regard to the development of these areas

Now, as far as the Nagaland Budget is concerned I can concede the point that the hon Finance Minister has not got adequate time to apply his mind to the details. But when he brings forward the Budget for the year as a whole, perhaps he may be in a position to take into consideration some of the suggestions which I propose to make in my brief speech. If you take Nagaland and the north-eastern region consisting of Arunachal Pradesh Mizoram etc. they are larger than Punjab and Haryana put together. Fortunately these areas also happen to be very fertile. They are one of the best fertile soils available in the north-eastern region and, particularly Nagaland.

1658 hrs.

[KUMARU AHA MAITI in the Chair]

Then, another important aspect of Nagaland is that, just as land erosion has taken place to a considerable extent in other parts of the country it has taken place here also but, fortunately the Nagaland soil cover still continues to be very good and if it is protected, it could be a rich source for the development of agriculture and other production. If we look into the economy of Nagaland today, 90 per cent of the people of Nagaland depend on agriculture but the productivity is the lowest in the country. It is hardly 550 kilograms per hectare and is much lower than the adjoining areas of Meghalaya and others. We have to find out the reasons for this lowest productivity of Nagaland. (Interruption)

As I submitted in the beginning, let us try to take this problem out of the Party purview. This is a susceptible area and we have to evolve a general consensus. I am not discussing this from a Party angle. Hon Members will be kind enough to

listen to me and even if you don't agree with me, you should not at least interrupt me.

Now, in the Nagaland area there was a law and order problem for quite a period. Fortunately, this law and order problem is settling down now though it has not settled down fully. We all should make endeavours to see that settled conditions come about and we are in a position to concentrate on developmental activities in Nagaland.

In Nagaland, for instance, the average annual rainfall is 60 to 100" or even more. That means that from the point of view of rainfall it is a good area but the efforts made so far have been inadequate. As the Acting President has mentioned in his speech, perhaps we now propose to pay more attention to this. I hope concentrated attention will be given first to mobilising water resources in Nagaland. From the Budget I find that the allocation made for the development of water resources is not adequate. Perhaps the Finance Minister may be in a position, when he attends to these matters later on, to make an additional allocation for the development of water resources because, only if we develop the water resources can the basic problem of shifting cultivation be tackled. Settled cultivation has not been possible in this area because the efforts made during the last 25 years more or less remained on paper as they were not related to development of water resources in the area. So the highest priority has to be given to this aspect. While there has to be an all-India approach there may be a different approach for different States also depending upon local situations. In so far as Nagaland is concerned we should be clear that the first priority will be given to agriculture and even in regard to agriculture, we should be clear that the highest priority will be given to the development of water resources.

Secondly, in the Nagaland area, there are some plains which, if irrigation facilities are made available, would be suitable for the cultivation of rice. We should therefore, concentrate on rice. The requirement of Nagaland is modest, just about a lakh tons, and it should not be difficult to make Nagaland self-sufficient.

17 hrs.

Now, the main problem is how to develop the resources of the area. First of all, let us take the case of forests. Nagaland has hardly 15 per cent reserved forests. According to the national forest policy resolution, the hilly areas must have 60 per cent of forest area. But even in Nagaland forests are being indiscriminately destroyed. But as I said earlier, the soil cover is still very fine—it is the best in the country—and even now it would be possible for us to preserve the ecological conditions and good environmental conditions by creating forests. Some allocation has been made in the budget for forests, but my general experience has been that there is a lot of waste involved. Even if we plant trees, there is no attention given to their survival. Trees are planted and reports are made thereon but no attention is paid to how the trees survive. I think we have to evolve a different set up in this area. Fortunately, in this area, the people have a much better community awareness as far as social problems are concerned. We should take advantage of that and see how the community awareness of Nagas can be used to protect the forest areas and to have additional plantation areas. But the provisions which have been made are not adequate to meet what I am suggesting. We are racing against time and the provisions which have been made in the Budget are low compared to the other sectors. Forests have received more amount, but taking into consideration the total requirement or the needs of the situation in Nagaland, the amount is totally inadequate.

Fortunately, some technical surveys have been made in these areas and it has been found that these areas are very suitable for development of coffee and tea plantations. Therefore, these areas can be profitably used for earning foreign exchange for the country as well as for improving the standard of living of the Naga people. The Tea Board and the Coffee Board may be asked to take up some experimental planting and if that succeeds plantation on a larger scale can be taken up. The land ownership pattern need not be disturbed. My own feeling is that, without disturbing the prevailing system of land ownership, this can be brought about.

The Nagaland areas are extremely suitable for horticulture but the main difficulty is that we shall have to set up a technical department there. We are trying to copy the all India agricultural administrative pattern there. But the social conditions here are different, the historical and cultural conditions are different. Therefore, the type of department that we have to set up there will have to be different. More attention can be given to this, when there is an opportunity to discuss the details, we will be in a position to give some suggestions. Of course, it is for you to consider the suggestions and come to certain conclusions.

Then I come to survey and settlement. Though there is a provision in the Budget for this, for four months no expenditure is contemplated to be made on this account. My whole understanding and honest assessment is that no planning of agriculture in these areas is possible without survey and settlement. Why do you want to keep in abeyance the survey and settlement for four months? In fact more amount needs to be made available for survey and settlement in this area. The survey and settlement have to be brought about in a year or two. Otherwise, the whole exercise is going to be a futile exercise. You have only made some provision

[Shri Annasaheb P Shinde] for land records. That is not adequate in the whole of north eastern region what is required for agricultural planning is to bring about survey and settlement as early as possible so that we are in a position to have a thorough planning for agriculture in this area.

SHRI SONU SINGH PATIL (Eran dol) Why did you not do it in the last 30 years?

SHRI ANNASAHAB SHINDE Because there were unsettled conditions. The hon Member knows that, even in Bihar and Orissa these are the pending problems. I do not want to raise any controversial issue. I am not blaming anybody for this. When the hon Member makes his submissions he may raise this issue.

SHRI SONU SINGH PATIL This is a legacy from you.

SHRI ANNASAHAB SHINDE May be. You were with us for many years.

There is a provision made for education. Of course, I am not opposed to general education. But here for the education relevant to the needs of the Nagas, there is absolutely no provision. Infrastructure is also being raised from that angle. This needs to be attended to.

As far as community development projects are concerned this House is well aware that, in these areas, they amount to a waste. Our national experience has shown this. I am not suggesting that any provision for community development which relates to agriculture or other things should be cut down. It can be augmented. But the point is that it should be brought under normal programmes for agricultural development and irrigation development and not under community development because the resources then get thinly spread out apart from that there is also the wastage involved which we cannot avoid.

We have to encourage agricultural production. Similarly marketing also needs our attention. The weakest link in this area is marketing. The pattern of marketing in this area will have to be different from the all India pattern. The Naga community or, as a matter of fact the whole North Eastern community, have the traditional cooperative spirit. In Nagaland, if somebody's house is to be constructed the entire village community goes and helps him in constructing the house. There is a natural cooperative spirit in them. I think, this is the best area in the country as far as I know for the development of cooperatives and very healthy cooperative movement therefore much more help is necessary. For that, the National Cooperative Development Corporation, which is known as NCDC, will be a very powerful instrument. But I find that though last year there was some provision for helping Nagaland for development of cooperatives, this year there is no provision in so far as NCDC is concerned for helping the cooperative movement. The marketing has to be strengthened even by going out of the way and I would request the Finance Minister to look into this. A substantial grant should be made available to NCDC which is an instrument of the Government of India itself and they should be entrusted with the responsibility for development of cooperatives. As far as far flung areas are concerned the amounts should be made available to them for development of cooperative movement particularly marketing and processing of agricultural produce in these areas.

These are the few suggestions that I want to make. I would submit again that my observations may not be taken from partisan attitude. I am only trying to make suggestions for the development of these areas and perhaps hon Members may give some thought to it.

SHRIMATI RANO M. SHAIZA (Nagaland) Madam Chairman while supporting the Nagaland budget, I would

like to draw the attention of the hon Members to the undemocratic manner in which the State is being run today I shall be brief in what I have to say about the state of affairs in Nagaland. Whether one belongs to the ruling party or the Opposition all are subject to the hurts and heals of the same treatment. This is not a complaint for revenge but an appeal to the hon Members to right the wrong where injustice has been so blatantly committed by officials during the emergency.

My people in Nagaland have not known peace for the past twenty years. It is understandable when Government puts down lawlessness with a firm hand but when there is peace in Nagaland since November 1975 we do not see any reason why a party like the Congress wedded to the efficacy of non violence should become an instrument of ruthless repression of their fellow countrymen. Many public leaders of integrity and high esteem in Nagaland were harassed and put in jail at the whims of one or two top officials in collaboration with the Congress party just because they do not agree with the Congress. I want to tell you of a specific case in Tuensang district where on Thrimuong an intending UDF candidate for the Assembly was arrested just a day before the poll. His only fault was that he as an educated person had drafted an application for a man who could not write. The administrator was displeased and had him arrested on the 15th. On the intervention of our Raya Sabha member Thrimuong was released on 16th on FR Bond. On 17th, however after the departure of the M.P. he was re-arrested, summarily tried and convicted on 18th March to three months imprisonment. All this are done with a view to intimidate non Congressmen to join the Party and to show to innocent Nagas that Congress alone in the country wields power. The Congress Party which stands for secularism and democracy fully indulged itself in spreading propaganda that UDF is an ally of the Janata Party. Janata Party is

Hindu religion and therefore if they come to power they would abolish Christianity and English language. Therefore you should vote for the Congress. During the election campaign they revived the slogan of communalism and sow the seed of hatred among the people belonging to different communities. During the Emergency the heavy hand of repression fell upon the UDF Party. The Chief Agent of the Congress is one retired Officer who was re-employed in Nagaland as Adviser to the Governor of Nagaland. This gentleman has been given extension 4 times and it is learnt that another extension is being recommended for after March 31. During the election this officer travelled in helicopter and Government vehicles campaigning for the Congress Party. A copy of taped recorded speech taken by our party workers at Rukhroma village on February 15 where he addressed a public meeting has already been given to the Government of Nagaland and also the SIB. Besides this offence there are serious other allegations of misusing rehabilitation Fund allocated for the underground who come overground. After promulgation of President's rule this Officer has moved into the Office Chamber of the State Chief Minister and goes about in imported car in a grand style. This gentleman also interferes in every department from Secretary down to the Chaprasi. Will the honourable Members of this august house permit this arrogance and abuse of State Power? Our new Parliament and the Government must create a new image. I would like an Enquiry Committee headed by a Member of Parliament to go to Nagaland to enquire into the charges of corruption and also excesses committed during the emergency. This much we owe to the people of Nagaland. I would also like you to know that the State of Nagaland is the largest parliamentary constituency in the country having 60 Assembly constituencies. It is difficult for a member alone to look after such a vast area. I would like the honourable members to give a serious

[Shrimati Rano M. Shaiza]
thought over this question and lend
their support at the appropriate time

Now that the situation is peaceful
early restoration of a popular Govern-
ment is a must to end the bureau-
cratic rule which has so much retarded
development programmes. I hope that
the new Government will announce
for the Assembly election before the
monsoon—before the end of May (with
to May 1977)

SIRRI N. TOMBI SINGH (Inner
Manpur) Madam Chairman While
supporting the Nagaland Budget I
want to say a few words. I would like
to associate myself with the views of
my hon. friend Shri A. P. Shinde who
said that Nagaland belongs to the
North Eastern Area which is a sensi-
tive area in the country and the pro-
blems associated with this area have
to be taken not from party angles but
from the general national angle. Ma-
dam Nagaland has been unfortunate-
ly in the wind of instability for the
last several months. The north east-
ern areas which comprise five small
States and two Union territories have
been working under special circum-
stances. Of all these small States Na-
galand happened to be one of the most
stable States politically in the begin-
ning. Representing as I do a neigh-
bouring State—the State of Manipur—I
have been closely watching the pro-
gress in Nagaland and taking interest
in the development works there. Un-
fortunately after a period of stability
the wind of instability has gone into
the Naga politics and Nagaland had
to accept President's rule which exists
there today. It has been rightly point-
ed out by Mrs. Shaiza that during the
President's rule the role of the bureau-
cratic elements is to be closely seen.
Madam, I had the opportunity of serv-
ing as a member of the Nagaland con-
sultative committee during the Fifth
Lok Sabha. Quite a number of ir-
regularities and excesses were pointed
out during the sittings of that com-
mittee and it was brought to the notice
of the Government of India that the

officers must be made to behave other-
wise in such sensitive areas where
people are yet to come into the main
stream of our politics and social life.
Whatever wrong is done—may be one
or two—this will go a long way in
mitigating the condition of this sensi-
tive zone.

Madam, I would like to draw the
attention of the hon. Finance Minister
to one or two things that come to our
notice immediately. Firstly those of
us in the north eastern zone have our
own apprehensions about the policy of
the new government concerning small
States because when we were struggl-
ing for our political identities and as-
sertion of individualities in the name
of Statehood and union territories etc.
the present Prime Minister Shri
Morarji Desai was not favourably in-
clined towards the formation of small
States although it was quite clear that
the north eastern areas deserve special
consideration. If you go by the nor-
mal yardstick how could States like
Tripura, Manipur, Nagaland etc.
could become States? They are much
smaller than even your normal dis-
tricts in UP population wise, size-wise
and resources wise. But then there
were special circumstances. I remem-
ber when we sent delegations from all
these States for formation of union
territories and States. Shri Morarji
who was a leader of the undivided
Congress was not in favour of small
States.

So far as details of the Nagaland
budget are concerned it was made clear
by the Finance Minister himself that
he was not able to devote much time.
Now I as a representative of the
small States, as one who feels about
the small States in the North Eastern
areas, would like the hon. Finance Mi-
nister to spell out clearly in his reply
what is the policy of the new govern-
ment towards the small States and we
cannot take it for granted unless a
clear statement is given on the floor
of this House that the small States
which are now economically back-
ward will continue to receive special

consideration. Although they are poor now, agriculturally they are very fertile, but then as it is the resources and fertility of the North Eastern Areas, the small States have not been taken advantage of. Naturally, they are not viable. We have to run the administration and other development plans from the Central resources. So on this occasion I would request the Finance Minister to spell out the policy of his Government towards the North Eastern areas and the small States. Why I have to do this is the earlier bitter experience of the attitude of some leaders who are now heading the Janata Government towards the small States. They were not at all favourable, but we have to say also with similar vehemence and sincerity that we are grateful to the Congress leadership because they have been able to show sympathetic interest and they tried to understand the problems of the North Eastern areas, small States, and they helped the small States in all possible ways and hence the small States were possible. I hope we will continue to receive similar sympathy from the new Government—I am not speaking as a member of the Congress Party now when I speak on the subject. (An hon. Member. You come this side.) That will not happen. Things are yet to be seen and we are very much acclimatised and we shall see what happens, but then as I am speaking on a subject very delicate and sensitive, I am, not speaking as I told you, Madam, as a partyman, I am speaking as a citizen of the country who feels for the backward areas, particularly the North-Eastern areas, the small States which require special attention. Politically, economically and socially, the Government of India have to sympathise and patronise the small States by ignoring the normal yardsticks. You have to apply special yardsticks as the Congress government has been doing. The Congress government, the Congress leadership enjoyed our full trust and appreciation for the attention they have given so far to the small States.

Coming to the Nagaland Budget, Mr Shinde was right when he pointed out that the land of the Nagaland is fertile, there are many prospects for development agriculturally and in other respects. One thing I would like to mention here is the development of handlooms in Nagaland. Handloom in Nagaland and the adjoining areas of Manipur survive more for sentimental values than as a business proposition because the role played by handloom in the tribal life of the hill areas is such that a tribe is symbolised by its cloth. Every tribe has its own cloth design pattern, colour etc. So when you see a tribal, he or she is known by the cloth. That means handloom and waist loom clothes are existing for sentimental values and I think this question was taken up in the Consultative Committees also. The attention of the then government was drawn to the fact that a special Handloom Directorate should be established in Nagaland as in other adjoining States so that handloom will prosper not only as sentimental value but as business proposition because Nagal cloth is very popular and it will have a world market. So, in this respect we would like to bring to the notice of the hon. Finance Minister that he should direct the officials now in charge of the Nagaland Administration to pay special attention to handloom industry.

One thing which Mr Shinde also said is about shifting cultivation in the hill areas. There we are concerned with two things. One is the preservation of forests and the other is the increasing of production in agriculture. In agriculture the fertility of the land does not help much when there is scarcity of water and we have to do all the cultivation on the steep slopes of the hills. Therefore, the Agricultural Research Council has to apply its mind for two things. One is the preservation of forests and the other is the development of agriculture and provision of sufficient irrigation and other facilities so that the people, with their usual working habit, will be able constantly to use the hill slopes, at least

(SHRI N TOMBI SINGH)
for 10 or 20 years. They can also avoid shifting from one place to another for temporary agricultural purposes. Otherwise they would destroy the forests wantonly. I do not want to take the precious time of the House any more. In conclusion, I would like to draw the attention of the Finance Minister to the fact that he should spell out the new Government's policy towards the North-Eastern region and the small States about which we have our own apprehension. This apprehension is not the apprehension of the Congress party alone but it is the apprehension of the people to the North-Eastern region and the small States.

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL) Madam Chairman, I have listened to the various speeches made with great enthusiasm. I sympathise with the various points that have been made, particularly by Mr Shinde and the speaker who spoke last. When he wanted the preservation of forest, we should take special interest and see that it is balanced with the development of agriculture. I think both these are very desirable objectives and they must be pursued and the Government will see to it that attention is given to both these matters. These are highly desirable objectives. As to the provision of funds, if they are not adequate, we should certainly go into it. But I wish to tell you that all these budgets have been prepared under the regime that existed before this Government came into power. I do not wish to enter into any controversy.

SHRI ANNASAHIB P. SHINDE I would like you to make it clear whether you will make any positive departure.

SHRI H. M. PATEL I consider this is so desirable an objective that I will see that these are given the highest possible attention because it is consistent with our policy of giving primary

to agriculture, and when you say that the majority of the population is dependent upon agriculture, it clearly becomes our duty to see that whatever can be done should be done in order that agriculture is developed and becomes prosperous. So, I think on all those points, there is really no difference of opinion and it is in line with the general policy of our party. We shall certainly see that it is given full attention. In regard to particular point that was made, that is, about certain excesses and atrocities that were committed during the Emergency in Nagaland I can only assure you that we will go into these. Where specific instances are mentioned, they will be examined and appropriate action will be taken. A reference was made to an instance. We will go into that. Then I think there is really nothing more that I am called upon to say at this stage about the general policy of this Government in regard to small States. I do not think that the question arises at all. Unless there is any contrary policy statement, what do you expect me to say? There is a certain situation that exists today. I do not think we are called upon at this stage to make any pronouncement on this subject. If you wish to rely upon rumours and gossip, there is nothing to say about it. I hope with these words the House will pass the Demands.

MR. CHAIRMAN The question is

"That the respective sums not exceeding the amounts on Revenue Account and Capital Account shown in the third column of the Order Paper, be granted to the President out of the Consolidated Fund of the State of Nagaland, on account, for or towards defraying the charges during the year ending on the 31st day of March, 1978, in respect of the heads of demands entered in the second column thereof against Demands Nos. 1, 3 to 9 and 12 to 54."

The motion was adopted.

1731 hrs.

NAGALAND APPROPRIATION (VOTE ON ACCOUNT) BILL* 1977

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H M PATEL) I beg to move for leave to introduce a Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Nagaland for the services of a part of the financial year 1977-78

MR. CHAIRMAN The question is

"That leave be granted to introduce a Bill to provide for the withdrawal of certain sum, from and out of the Consolidated Fund of the State of Nagaland for the services of a part of the financial year 1977-78"

The motion was adopted

SHRI H. M. PATEL I introduce the Bill.

I beg to move †

"That the Bill to provide for the withdrawal of certain sums from and out of the consolidated Fund of the State of Nagaland for the services of a part of the financial year 1977-78 be taken into consideration."

MR. CHAIRMAN The question is

That the Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Nagaland for the ser

vices of a part of the financial year 1977-78, be taken into consideration"

The motion was adopted.

MR. CHAIRMAN We shall take up the clauses The question is

"That clauses 2 and 3, the Schedule clause 1 the Enacting Formula and the Title stand part of the Bill

The motion was adopted

Clauses 2 and 3 the Schedule, clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI H. M. PATEL I beg to move

"That the Bill be passed."

MR. CHAIRMAN The question is

"That the Bill be passed."

The motion was adopted

1733 hrs

SUPPLEMENTARY DEMANDS,† FOR GRANTS (NAGALAND) 1976-77

MR. CHAIRMAN The question is

"That the respective Supplementary sums not exceeding the amounts on Revenue Account and Capital Account shown in the third column of the Order Paper be granted to the President out of the Consolidated Fund of the State of Nagaland, to defray the charges that will come in course of payment during the year ending on the 31st day of March, 1977, in respect of the following demands entered in the second column thereof--

Demands Nos. 5 to 9 12, 15 17 to 19 24 to 27 30, 33 36, 33 42 44, 47, 49 and 52 to 54."

*Published in Gazette of India Extraordinary Part II section 2, dated 30-3-77

†Introduced/moved with the recommendation of the Vice President acting as President.

††Moved with the recommendation of the Vice President acting as President.

[List of Supplementary Demands for Grants (Nagaland) for 1976-77 voted by Lok Sabha]

No of Demand	Name of Demand	Amount of Demand for Grant	
1	2	3	
		Revenue Rs.	Capital Rs.,
5	Election	6,78,000	..
6	Land Revenue, Stamps and Registration	16,39,000	..
7	State Excise	46,000	..
8	Sales Tax	1,19,000	..
9	Taxes on Vehicles	91,000	..
12	Civil Secretariat	7,50,000	..
15	Special expenditure on maintenance of law & order including contribution for pensions and gratuities,	25,00,000	..
17	Civil Police and Fire Service Unit	48,49,000	1,61,000
18	Jails	21,60,000	..
19	Stationery and Printing	2,50,000	..
24	State Lotteries	6,31,000	..
25	Pensions and other Retirement Benefits	8,95,000	..
26	Education	38,49,000	..
27	Art and Culture and Gazetteers Unit	1,44,000	..
30	Information, Publicity and Tourists	8,03,000	..
33	Tribal Development Blocks, Community Projects, etc.	2,20,000	..
36	Social Security Welfare and Community Services	35,00,000	..
38	Co-operation	1,63,000	..
42	Agriculture, Minor Irrigation, Fisheries, etc.	8,71,000	..
44	Grain Supply Scheme	18,38,000	..
47	Industries	1,000	15,60,000
49	Power Projects	55,57,000	..
52	Public Works, Housing, Roads & Bridges . . . . .	..	37,55,000
53	Functional Buildings and other Developmental Schemes . . . . .	..	1,000
54	Water Supply Schemes	2,16,47,000	..

734 hrs.

**NAGALAND (APPROPRIATION)
BILL,** 1977**

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): I beg to move for leave to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Nagaland for the services of the financial year 1976-77

MR. CHAIRMAN: The question is

"That leave be granted to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Nagaland for the services of the financial year 1976-77"

The motion was adopted.

SHRI H. M. PATEL: I introduce the Bill.

I beg to move:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Nagaland for the services of the financial year 1976-77, be taken into consideration."

MR. CHAIRMAN. The question is:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Nagaland for the services of the financial year 1976-77, be taken into consideration."

The motion was adopted.

MR. CHAIRMAN: We shall take up the clauses. The question is:

"That clauses 2 and 3, the Schedule, Clause 1, the Enacting Formula and the Title stand part of the Bill"

The motion was adopted

Clauses 2 and 3, the Schedule, Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI H. M. PATEL: I beg to move

"That the Bill be passed."

MR. CHAIRMAN: The question is

"That the Bill be passed."

The motion was adopted.

17.37 hrs.

**PONDICHERRY BUDGET, 1977-78—
GENERAL DISCUSSION AND
DEMANDS* FOR GRANTS ON
ACCOUNT, 1977-78**

MR. CHAIRMAN. Now, we take up Pondicherry Budget.

Motion moved:

"That the respective sums not exceeding the amounts on Revenue Account and Capital Account shown in the third column of the Order Paper, be granted to the President out of the Consolidated Fund of the Union Territory of Pondicherry, on account, for or towards defraying the charges during the year ending on the 31st day of March, 1978, in respect of the heads of demands entered in the second column thereof against Demands Nos 1 to 33

**Published in Gazette of India Extraordinary, Part II, section 2, dated 30-3-77
*Introduced/Moved with the recommendation of the Vice President acting as President.

*Moved with the recommendation of the Vice President acting as President.

[List of Demands for Grants on Account (Union Territory of Pondicherry) for 1977-78
submitted to Vote of the Lok Sabha]

No. of Demand	Name of Demand	Amount of Demand for Grant in Rupees	
		Revenue Rs.	Capital Rs.
1	2	3	4
1	Legislative Assembly	1,85,000	..
2	Administration	4,000	..
3	Council of Ministers	13,000	..
4	Administration of Justice	7,31,000	..
5	Police	30,200	..
6	Revenue	27,63,000	..
7	Sales Tax	3,45,000	..
8	Tax on Vehicles	97,200	..
9	Excise	11,95,000	..
10	Direct Administration	31,29,000	5,16,000
11	Treasury and Accounts Administration	6,79,000	..
12	Power	37,38,000	..
13	Law	2,16,000	..
14	Water (T and P)	7,61,000	..
15	Administrative Administrative General Services	9,52,000	..
16	Revenue Services	12,41,000	..
17	Public Works	1,27,81,000	77,63,000
18	Education	1,76,13,000	35,20,000
19	Medical	4,01,19,000	..
20	Labour and Pensions	7,75,000	..
21	Labour and Unemployment	7,84,000	..
22	Medical Stores	3,41,000	2,40,000
23	Transport	17,72,000	12,87,000
24	Administrative General of Pensions Services	1,13,000	..
25	Administration	12,63,000	6,25,000

NOTE: All figures are in Rupees unless otherwise stated.

1	2	3	
		Revenue Rs.	
		Capital Rs	
26	Animal Husbandry	10,97,000	83,000
27	Fisheries	14,15,000	55,000
28	Community Development	20,58,000	42,000
29	Industries	12,03,000	16,04,000
30	Food and Nutrition	1,76,000	
31	Electricity	1,06,64,000	80,73,000
32	Ports and Pilotage	1,98,000	96,000
33	Loans to Government Servants		12,80,000

SHRI ARVINDA BALA PAJANOR (Pondicherry) Actually I wanted to raise a point of order on this but since this Budget is coming at the fag-end of the year and there is no time left and I do not want the administration of Pondicherry to come to a standstill, I will cooperate at this occasion. But I am pointing out certain anomalies. According to me, as per the Constitution under Article 356, the President's Rule cannot be extended in any territory for more than three years. The Assembly was dissolved on 28th March, 1974 and as per the Constitution you cannot extend it for more than three years. But the President's Rule was first extended for one year, then it was extended to second and then to third year. Unfortunately, the Emergency was there and under Emergency you can extend this President's Rule for any number of years. Now it is a very good feature that the Emergency both internal and external, has been withdrawn. Since there is no Emergency, you cannot go on extending the President's Rule there. According to me, there is an anomaly and there cannot be any President's Rule after 28th March, 1977. The maximum period of three years is over but you have not declared elections there and now you have again come with the

Budget of Pondicherry in this House. The Finance Minister has said nothing in the speech about the elections there. I want to know how to get over this anomaly. I think they may take shelter under the Union Territories Act. But the Union Territories Act is also within the Constitution and it cannot override the Constitution. If somebody takes up the matter to the High Court or the Supreme Court, then there will be a hindrance. So, I request the Finance Minister or the Law Minister or the Home Minister to immediately declare elections there. Article 356 says

"Provided that if and so often as a resolution approving the continuance in force of such a Proclamation is passed by both Houses of Parliament, the Proclamation shall, unless revoked, continue in force for a further period of six months from the date on which under this clause it would otherwise have ceased to operate, but no such Proclamation shall in any case remain in force for more than three years."

I bring to your notice that on the 28th March, '77 the three year period has come to the point of limit and I do not think you can continue this

(Shri Arvind Bala Pajanan)

Proclamation any more You may say that under Article 251 of the Union Territories Act, you can go on increasing it for a number of years But this Act cannot be an independent Act outside the Constitution. You must consider the spirit behind this enactment There should not be any discrimination between people in one State and other in a Union Territory

Now, Madam Chairman, if government takes shelter under section 51 of this Act, it should give reasons why it is not able to proceed with an elected government. There is no Emergency external or internal according to the government This information is welcome I want to know under what Article it has been done If it has been done by the previous government, the present government has not come up with a new proclamation. I think it is not fair for the present Prime Minister and Home Minister to take shelter under certain things which had taken place prior to the 21st March. I want a clarification on this

Leaving this aside, I do not want to raise any technical point I used to oppose the technical points which Mr Sezhiyan used to raise in this House earlier I am one with you that the spirit of the matter should be taken into consideration.

I want my government to run in Pondicherry I am the solitary representative There are so many people to speak for Nagaland You have dissolved the Pondicherry Assembly for so many years now No Municipal elections have been held there I appeal to you to declare elections for Pondicherry as early as possible Elections to Parliament were there only two weeks back You can hold at least municipal elections. They have not been held for ten years now I do not understand why there is any mention about elections in this bill. I do

not want my administration in Pondicherry to suffer There are no doubt good officers there They are doing their best, with the limited funds that are available Pondicherry is a backward area It is also a very peculiar one Mizoram, Andamans and Lakshadweep have contiguous areas, whereas in Pondicherry, I have to travel a minimum of 1000 miles. Between Karaikal and Pondicherry, the distance is 100 miles Between Pondicherry and Mahe, it is 450 miles. For going to Yenam, I have to travel 750 miles. (Interruption) If I become the Prime Minister, I can use the helicopter It is a peculiar territory My single constituency is spread over 3 States. There is only one representative While allotting funds for Pondicherry, please don't equate it with any other Union territory It is a peculiar territory which was ruled by the French for 300 years. I would request the present Finance Minister to allot adequate funds. Even though I used to receive congratulations whenever I spoke earlier nothing was substantially done for Pondicherry My request have been met to the extent of 20 per cent. I have become a gramophone record. I am bound to repeat things, because you are the new Finance Minister I would like to see whether your actions go along with your words and promises If Pondicherry comes up India will be benefitted. Pondicherry is spread over the entire Dakshin Bharat, i.e. over 3 States. I am happy to see that on this occasion, the Finance Minister was concentrating very much. I do hope that he will listen to my speech also carefully These are very important matters for Pondicherry First I would appeal to you that there must be elections as early as possible, because you believe in the verdict of the people and you bow down to the wishes of the people I am sure you will declare the elections as early as possible.

Secondly, for the last three years I have been asking for a University

17.56 hrs.

**PONDICHERRY APPROPRIATION
(VOTE ON ACCOUNT) BILL¹, 1977**

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H M PATEL) Sir, I beg to move for leave to introduce a Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the Union territory of Pondicherry for the services of a part of the financial year 1977-78

MR CHAIRMAN The question is

That leave be granted to introduce a Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the Union territory of Pondicherry for the services of a part of the financial year 1977-78 "

The motion was adopted

SHRI H M PATEL I introduce the Bill

Sir I beg to move †

"That the Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the Union territory of Pondicherry for the services of a part of the financial year 1977-78, be taken into consideration "

MR CHAIRMAN The question is

'That the Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the Union territory of Pondicherry for the services of a part of the financial year 1977-78, be taken into consideration."

The motion was adopted

MR CHAIRMAN We shall now take up clauses The question is

"That Clauses 2 and 3, the Schedule Clause 1, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted

Clauses 2, and 3 the Schedule, Clause 1, the Enacting Formula and the Title were added to the Bill

SHRI H M PATEL I beg to move That the Bill be passed."

MR CHAIRMAN The question is That the Bill be passed

The motion was adopted.

17.59 hrs.

**SUPPLEMENTARY DEMANDS††
FOR GRANTS (PONDICHERRY),
1976-77**

MR CHAIRMAN The question is

"That the respective Supplementary sums not exceeding the amounts on Revenue Account and Capital Account shown in the third column of the Order Paper, be granted to the President out of the Consolidated Fund of the Union territory of Pondicherry to defray the charges that will come in course of payment during the year ending on the 31st day of March, 1977, in respect of the following demands entered in the second column thereof—

Demands Nos. 4, 8 to 8, 10, 14, 16 to 20, 23, 27, 28, 31 and 32."

The motion was adopted.

*Published in Gazette of India Extraordinary, Part II, Section 2, dated 30-3-77

†Introduced/Moved with the recommendation of the Vice President acting as President.

††Moved with the recommendation of the Vice President acting as President.

No of Demand	Name of Demand	Amount of Demand for Grant	
		Revenue	Capital
(1)	(2)	Rs.	Rs.
4	Administration of Justice	1,05,000	..
6	Revenue	8,74,000	..
7	Sales Tax	7,000	..
8	Taxes on Vehicles	11,000	..
10	District Administration		7,17,000
14	Stationery and Printing	1,49,000	..
16	Retirement Benefits	2,99,000	..
17	Public Works	32,91,000	10,06,000
18	Education	7,56,000	..
19	Medical	17,53,000	..
20	Information and Publicity	3,35,000	..
23	Co-operation		4,90,000
27	Fisheries		85,000
28	Community Development	20,000	..
31	Electricity	4,02,000	32,63,000
32	Ports and Pilotage	3,000	49,000

18 hrs.

of Pondicherry for the services of the financial year 1976-77

PONDICHERRY (APPROPRIATION) BILL, 1977

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H M PATEL) I beg to move for leave to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the Union territory

MR CHAIRMAN The question is "That leave be granted to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the Union territory of Pondicherry for the service of the financial year 1976-77"

The motion was adopted

It has been pending for the past seven years. It should be done early. I want a categorical answer from the Minister of Finance whether they are going to give us the University in the coming financial year.

So far as deep sea fishing is concerned the project has been sanctioned. Though it has not been mentioned here I hope serious attention is being paid to the development of deep sea fishing by the present Finance Minister so that the food problem can be solved. There should be centres one each at Pondicherry, Karaikal and Mahe.

Then I will refer to the Ariyanganam river project. Another point is a thermal project which has not been sanctioned. As a matter of fact they are going in only for a medium thermal project. The present Ministry can reconsider the question. Unless there is a thermal project, the power problem cannot be solved. You have started small scale and medium scale industries because it is a backward area. In that context the supply of power is very important and serious consideration should be given to that. So I would suggest that a thermal plant should be established there as early as possible.

Then in order to relieve the congestion and port facilities at Madras and Cuddalore small ports should be established at Karaikal and Mahe.

Coming to heavy industries since there is a heavy industry plant at Trichy there should be a subsidiary plant at Karaikal. It will solve the unemployment problem which is very acute in Pondicherry. It is a very big problem there. You will be surprised to know that people who have registered their names in the employment exchanges as early as 1969 are yet to get their first call for interview for appointment. Young boys of the

age of 19 registered their names with the exchanges in 1969 and now in 1977 they cannot get employment because they are over-aged and so disqualified. This is the pitiable position in Pondicherry so far as employment is concerned. Now that you have given so many hopes to the people I hope you will fulfil those promises at least in the matter of employment.

Lastly the Government had promised aerodromes for all State capitals. Yet when I asked for an aerodrome for Pondicherry they asked why? When you have some guidelines for the construction of aerodromes why do you not follow them? Pondicherry is a State capital. Every now and then you have to summon here your Governor and the Secretaries. Therefore there should be a small airport so that they can come here in a short time.

So far as the Ashram is concerned the management has been superseded. I would request them to reconsider the matter and grant the Ashram the bare facilities and their reasonable requests. I have sent a petition in the matter after consulting the Administrator. I know how the Ashram has been functioning. It is a very good institution promoting international understanding. It creates a feeling of oneness amongst the people so that they can understand one another for a better and peaceful life. My name is Aravinda Bala Pajananor because my father was a devotee of the Ashram.

As far as Auroville is concerned the Tamil Nadu Government was giving some trouble. Now that problem has been solved because both Tamil Nadu and Pondicherry have come under President's Rule. Now you can not say that something has been done by the Tamil Nadu Government.

Karaikal is in the delta of Cauveri. This year I cannot take my men to

[Shri Arvind Bala Fajanan]
harvest in my own field because the water supply was cut to Pondicherry. Of course, Pondicherry is represented in the Cauvery Board. We want to appeal to you to allot more funds so that we can have underground water for development of agriculture in that area. At present the situation there is not happy. Karaikkal is the granary of Pondicherry State. Yet, there the price of rice is going up day by day. The administration there with a young and efficient officer is trying to solve the problem. At the top level it is very beautiful and nice, but the upper and lower division clerks took active interest in the elections and tried their best to rig them, to indulge in malpractices. I know many of them personally, and I put an end to it. So, it is high time that the Government of India, because they are directly ruling Pondicherry, take interest in the matter and warn those elements.

Both Karaikkal and Pondicherry are religious centres. You have made the people there contribute to the compulsory deposit scheme. The poor government servants are in a mess. I know the Finance Minister personally, he is a reasonable man. If he thinks that it is right, he will agree to it. So, I request him to reconsider the question of including Pondicherry in B 2 and Karaikkal in C category, so that the people in my constituency may be happy. Unless you keep Government servants contented, you cannot lift the country up.

I am not raising the constitutional issue because it is the spirit of the law that has to be considered and not the letter, but there is a fear that somebody may take up the matter in the High Court and so I mentioned it.

I request that at least a Judicial Commission or Court may be established at Pondicherry if not a High Court.

I hope Government will give serious consideration to it.

I invite the hon. Ministers of the Government to visit Pondicherry. It is a beautiful place. The invitation includes you, Madam Chairman, also.

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL) I appreciate the spirit in which the hon. Member decided to drop the constitutional issue which he intended to raise, but I would like to assure him that there is a good answer to it. A notification had been issued by the President on 8th February, 1977 and the order says that 'for three years' occurring in clause (a) of the first-mentioned order as subsequently amended, the words 'four years' shall be substituted. So, that has been taken care of and he need not be apprehensive that it might be taken up by somebody in any court.

The hon. Member has raised a number of points. Some of them are of such vital importance that I am sorry to find that no attention has been paid to them for such a long period.

I can only assure you that we will see to it that every single point mentioned by you will be gone into and attempt will be made to do some justice in regard to as many of them as possible.

MR CHAIRMAN The question is: 'That the respective sums not exceeding the amounts on Revenue Account and Capital Account shown in the third column of the Order Paper be granted to the President out of the Consolidated Fund of the Union territory of Pondicherry, on account, for or towards defraying the charges during the year ending on the 31st day of March, 1978, in respect of the heads of demands entered in the second column thereof against Demanda Nos. 1 to 33.'

The motion was adopted.

SHRI H M PATEL I introduce* the Bill

Sir, I beg to move†

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the Union territory of Pondicherry for the services of the financial year 1976-77 be taken into consideration"

MR. CHAIRMAN The question is

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the Union territory of Pondicherry for the services of the financial year 1976-77, be taken into consideration."

The motion was adopted

MR. CHAIRMAN We now take up the clause-by-clause consideration of the Bill

The question is

"That Clauses 2 and 3, the Schedule Clause 1, the Enacting Formula and the Title stand part of the Bill"

The motion was adopted

Clauses 2 and 3, the Schedule, Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI H M PATEL I beg to move

"That the Bill be passed"

MR. CHAIRMAN The question is

"That the Bill be passed"

The motion was adopted

MR. CHAIRMAN The House stands adjourned till 11 A.M. tomorrow.

The Lok Sabha then adjourned till Eleven of the Clock on Thursday, March 31, 1977/Chaitra 10, 1899 (Saka)

*Introduced with the recommendation of the Vice President acting as President.

†Moved with the recommendation of the Vice President acting as President.

CONTENTS

Thursday, March 31, 1977/Chaitra 10, 1899 (Saka)

	COLUMNS
Papers laid on the Table	2—4
Calling Attention to Matter of Urgent Public Importance—	
Reported arrests made in connection with alleged transmission of important and classified information to Intelligence Agencies of certain foreign countries.	4—14
Statement on some aspects of Postal and Telecommunications Service—	
Shri George Fernandes	15—18
Statement re Derailment of Mangalore-Madras Express at Sevrur Railway Station—	
Prof. Madhu Dandavate	18—19
Matter under Rule 377—	
Reports that June, 1975 Proclamation of Emergency was issued without Council of Ministers' advice	19—21
Finance Bill, 1977—	
Motion to consider—	
Shri H M Patel	21—23
Shri Bashir Ahmed	23—24
Clauses 2 to 5 and 1	25—35
Motion to pass—	
Shri H M. Patel	35
Motion of Thanks on the Address by the Vice-President acting as President	
Shri Karpoori Thakur	35—168
Shri K S Hegde	36—50
Shri Yashwantrao Chavan	50—70
Shri Jagdish Prasad Mathur	71—83
Shrimati Ahilya P. Rangnekar	98—107
Shri Sushil Kumar Dhara	107—18
Shri J. Rameshwara Rao	118—27
Shri Yadendra Dutta Dubey	127—33
Shri O. V. Alagesan	133—46
Shri Yamuna Prasad Shastri	146—56
	156—68

LOK SABHA DEBATES

1

LOK SABHA

Thursday March 31 1977/Chaitra 10
1899 (Saka)

The Lok Sabha met at Eleven of the
Clock

[MR SPEAKER in the Chair]

SHRI JYOTIRMOY BOSU (Diamond Harbour) Since there is nobody here to take the oath, may I draw your attention to the Motion I gave on the 28th? You were kind enough to ask me to wait for two days

MR SPEAKER I will see later on

SHRI JYOTIRMOY BOSU But today is the third day I would like to have an observation from the Chair in this regard.

MR. SPEAKER You cannot raise this question now

SHRI JYOTIRMOY BOSU You may kindly note that today is the third day

MR SPEAKER It may be the third day or it may be the fifth day, but until I call you you should not get up

SHRI JYOTIRMOY BOSU My Motion is there and your direction is there

MR. SPEAKER. I will call you when I am ready

2

11 02 hrs

PAPERS LAID ON THE TABLE

NOTIFICATION UNDER CARDAMOM ACT

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL) On behalf of Shri Mohan Dharma I beg to lay on the Table a copy of the Cardamom (Amendment) Rules, 1976 (Hindi and English versions) published in Notification No G S R 2898 in Gazette of India dated the 20th November 1976 under sub section (3) of section 33 of the Cardamom Act 1965, [Placed in Library See No LT-15/77]

NOTIFICATIONS UNDER GENERAL INSURANCE BUSINESS (NATIONALISATION) ACT NOTIFICATIONS UNDER EMERGENCY RISKS (GOODS) INSURANCE ACT, EMERGENCY RISKS (UNDER TAKINGS) INSURANCE ACT, INDUSTRIAL FINANCE CORPORATION ACT, AND INDUSTRIAL DEVELOPMENT BANK OF INDIA ACT

SHRI H M PATEL I beg to lay on the Table —

(1) A copy each of the following Notifications (Hindi and English versions) under section 17 of the General Insurance Business (Nationalisation) Act, 1972.—

(i) The General Insurance (Rationalisation and revision of Pay Scales and other Conditions of Service of Supervisory, Clerical and Subordinate Staff) Second Amendment Scheme, 1976 published in Notification SO 440 in Gazette of India dated the 27th November, 1976

[Shri H M Patel]

- (1) The General Insurance (Rationalisation of Pay Scales and other Conditions of Service of Development Staff) Amendment Scheme, 1976, published in Notification No S.O 761(E) in Gazette of India dated the 1st December, 1976

[Placed in Library See No LT-16/77]

- (2) A copy of the Emergency Risks (Goods) Insurance (Fifth Amendment) Scheme, 1976 (Hindi and English versions) published in Notification No S.O 792(E) in Gazette of India dated the 14th December, 1976, under sub-section (6) of section 5 of the Emergency Risks (Goods) Insurance Act, 1971 [Placed in Library See No LT-17/77]

- (3) A copy of the Emergency Risks (Undertakings) Insurance (Sixth Amendment) Scheme, 1976 (Hindi and English versions) published in Notification No S.O 793 (E) in Gazette of India dated the 14th December, 1976 under sub-section (7) of section 3 of the Emergency Risks (Undertakings) Insurance Act, 1971 [Placed in Library See No LT-17/77]

- (4) A copy of the Annual Report (Hindi and English versions) of the Industrial Finance Corporation of India for the year ended the 30th June 1976 along with the statement showing the Assets and Liabilities and Profit and Loss Account of the Corporation, under sub-section (3) of section 35 of the Industrial Finance Corporation Act, 1948 [Placed in Library, See No LT-18/77]

- (5) A copy of the Annual Report (Hindi and English versions) of the Industrial Development Bank of India together with the Audited Accounts of the General Fund and the Development Assistance Fund for the year ended the 30th June,

connection with alleged transmission of information to foreign intelligence agencies (CA)

1976, under sub-section (5) of section 18 and sub-section (5) of section 23 of the Industrial Development Bank of India Act, 1964.

[Placed in Library See No LT-19/77]

11 65 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

REPORTED ARRESTS MADE IN CONNECTION WITH ALLEGED TRANSMISSION OF IMPORTANT AND CLASSIFIED INFORMATION TO INTELLIGENCE AGENCIES OF CERTAIN FOREIGN COUNTRIES

श्री इयाम सुन्दर दास (सीतामढ़ी)
 अध्यक्ष महोदय, मैं प्रबलमन्वीय लोक महत्व के निम्नलिखित विषय को धीरे गृह मंत्री का ध्यान दिताता हूँ और प्रार्थना करता हूँ कि इस बारे में एक यत्नकर्म है

“कुछ विदेश के नेतावासों के माध्यम से उन की गुप्तचर एजेंसिया को भारतीय और सामरिक महत्व की महत्वपूर्ण और गुप्त जानकारी दिये जाने के बारे में जो गई महत्वपूर्ण गिरफ्तारिया के समाचार।”

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH) Sir, the espionage activities referred to in the Calling Attention Notice are under investigation. For reasons of security, however, it would not be in public interest to disclose the facts at this stage

श्री इयाम सुन्दर दास - अध्यक्ष महोदय, आप को निश्चित रूप से स्मरण होगा कि आज से बरीब साल, डेढ़ साल पहले बीमूजा, जो प्रेस सूचना विभाग के डायरेक्टर रह चुके थे, इसी आरोप में गिरफ्तार किये गए थे और

न्यायालय ने उन्हें 12 वर्ष की रिगोरस इम्प्रिजनमेंट की सजा दी थी। 26 मार्च के क्रिनाशन एक्सप्रेस में दिविगेस्ट एंडर एस्पायनेज केस के शीर्षक से इसी केस का जिक्र किया गया है कि आजादी के बाद य. पहला मौका है कि इंटेलिजेंस ब्यूरो ने यह जान लेने के बाद कि इस देश में श्रीमती इन्दिरा गांधी की हकूमत नहीं रह गई है, यह हिम्मत की कि एक दर्जन वरिष्ठ पदाधिकारियों को गिरफ्तार कर लिया, जिन में योजना आयोग के तीन वरिष्ठ पदाधिकारी शामिल हैं। उन व्यक्तियों में पूर्वी योरूप के एक दूतावास में काम करने वाली पूर्वी योरूप की एक महिला भी हैं, जो एक भारतीय व्यापारी की पत्नी हैं।

अध्यक्ष महोदय जो कुछ बेपर मे माया है वही आप बोल रहे हैं।

श्री दय म सुन्दर दस मैं आपके माध्यम से प्रति महत्वपूर्ण बात की जानकारी दे रहा हूँ जिस की ओर प्रस का ध्यान आकृष्ट किया लेकिन समीक्षा अभी तक सरकार का ध्यान उस ओर नहीं गया। आप को स्मरण होगा कि किसी शास्त्र जो पश्चिमी जर्मनी के वास्तव रह चुके हैं, उनके निजी सचिव भी इसी तरह पूर्वी जर्मनी की सरकार को कुछ सूचना देने के धारा में पकड़े गए तो किसी शास्त्र ने वास्तव पद से इस्तीफा दिया। भूतपूर्व विदेश मंत्री श्री यशवत राव बनवत राव चव्हाण जो प्रतिपक्ष के माननीय नेता हैं, के निजी सचिव भी इस आरोप में गिरफ्तार हुए गए। य सारे के सारे लाग ली आई ए जो अमेरिका की एजेंसी है और के जी बी जो सचिव यत रूप से एजेंसी है इन दोनों महामानियों की मु.पर एजेंसिया को प्रति महत्वपूर्ण सामग्री और आर्थिक सूचनाएं प्राप्तिनिष्ठ पानिग धारण एंड स्टील, एनक्रिप्टेड, रेमिबल एंड फटिनाइडर प्राप्ति न सचिव ने प्रस्तुत करने रहे हैं। मैं आपके माध्यम से प्रतिपक्ष के माननीय नेता से भी अपेक्षा करता हूँ कि वे कम से कम एक परस्पर एक्स-

प्लेनेशन दें क्योंकि किसी ब्राट ने फोन पर इस्तीफा दिया था। अगर यह आरोप सत्य सिद्ध होता है कि उनके सचिव का सचिव इस केस से है और यह उनकी जानकारी में था तो शायद इस सदन को अधिकार है कि वह उन्हें इस सदन की सदस्यता से वंचित कर सके।

दूसरी बात में दुष्ट के साथ बढ़ता हूँ कि गृह मंत्री आइ लेन हैं कि लाक हिन में इसे प्रकट करना उचित नहीं होगा। सत्तार का सर्वोच्च जनतंत्र अमेरिका है। वहां यात्रा निवसन के बाद जिमी कार्टर का शासन आया है। जिमी कार्टर ने घोषणा की है कि कैबिनेट की मीटिंग में भी वे प्रस का एलाऊ करेंगे। यह अमेरिकन डेमोक्रेसी को स्पिरिट है।

MR. SPEAKER You are making a speech

SHRI SHYAM SUNDER DAS I am not making a speech I am only making a submission through you to the hon. Minister of Home Affairs not to resume the old practice of the Indira Gandhi Government of taking Shelter behind public interest'

भव हिन्दुस्तान में प्रभव और मूठ की राजनीति चल नहीं सकती। इस सदन को विश्वास में लेना होगा और मैं मांग करता हूँ कि एक परसनल एक्सप्लेनेशन लीडर आफ दी अपोजीशन दें।

दूसरी मांग यही यह है कि एक पार्लियामेंटरी कमेटी वा जिन में पक्ष और प्रतिपक्ष दोनों के साथ रहे और यह जो सत्तार की महामानिया हिन्दुस्तान को चरबुर कमजोर बनाए रखना चाहती हैं, एक तरह का सोरिपत टोटी भी है और दूसरी तरह प्रति महत्व की हमारी सूचनाएं खरीदी जा रही हैं अमेरिका की धार से और वास्तविक रूप से धार से, इस बीच को देया जाए। इस सदन में कुछ ऐसे भी सदस्य हैं जिनका सा माई ए नजर

[श्री शंभू नन्दराम]

घाता है लेकिन उन को वे जी बी नंबर नहीं घाता है। आज शकर दया शर्मा जी यहा नहीं है जिन्हें आन्दोलन के पीछे सी० आई० ए० नंबर घाता था। ०००० (व्यवधान)

मेरी तीसरी माय माप के माध्यम से यह है कि सरकार रुम घोर अमेरिका को नरमी के साथ, पोलाइटली यह वाणिज्य दे कि अब नई जनता सरकार इस तरह को हरकत को बर्दाश्त नहीं करेगी। हमारा रिश्ता इस घोर अमेरिका से बराबरी का होगा। हम दखि हैं धन से लेकिन परिश्रम से नहीं।

चौथरी घरण सिंह अध्यक्ष महोदय, माननीय मित्र के पास जो सूचना है अगर मुझे देने की इया करेंगे तो बहुत अच्छा होगा। मैं उस का फायदा उठान की कोशिश न करूंगा। बाकी जो आप ने कहा कि कैबिनेट में पेश करेंगे बुलाई जाए तो मेरा कहना आप को यह है कि पहले इस हाउस में बुलाना शुरू कीजिए।

SHRI JYOTIRMOY BOSU (Diamond Harbour) This is a very big CIA case. But I would like to make it clear that, if foreign intelligence agencies are involved, they should also be firmly dealt with. In our country's internal affairs, we would not tolerate such an espionage activity from any quarter. It is an outcome of the erstwhile Prime Minister Shrimati Indira Gandhi's and her Government's attitude. I quote from a clipping of 1972

"A demand by Opposition leaders that the Government should set up a Parliamentary Committee to inquire into CIA activities in depth or publish a white paper on the subject was today rejected by the Prime Minister Shrimati Indira Gandhi."

This is the position. Thanks to the press they have revealed it, and it is good that these things are revealed,

so that people come to know and Government also could be brought to the position where they can take steps.

This was a question put by me on the 13th December, 1972

"whether American Columnist Jack Anderson had revealed in one of its articles the links between ITT and the CIA in some cloak and dagger exploits allegedly carried out in Latin America, and if so the Government's reaction thereto"

The reply is

"(d) and (e) Government are aware of the recent disclosures in the American Press of the links between CIA and the ITT and due note has been taken thereof."

ITT has a big ramification in this country. They were in collaboration with the erstwhile Government

Here is a very big case and which is the firm involved? I would not say anything involving the security of the country. I assure you, Sir, and the people in power. The firm is LURGI India Ltd., it is one of the largest importing firms of civil engineering equipment and their office is in a building owned by Birlas in Delhi. The Managing Director is of German origin but a Swiss citizen. I would like to know from the Home Minister whether it is a fact that he was wanted in Germany for war crimes and that he is a declared fugitive. Is it also a fact that he is friendly and pally with our ex-Prime Minister's son, Sanjay Gandhi? Is it also a fact that he had some connection with Piper plane business in this country?

Some twelve or thirteen persons were arrested in connection with the case. One is Shri R. P. Varshol, Director, Metals, Planning Commission, formerly of Defence Ministry, a sensitive Ministry as far as the security of the country is concerned. There was a raid in his house and a number of microfilms of documents, apart from cash were found. It is a

very serious matter. Foreigners visited him quite frequently and he was very often out for lunch etc. in luxury hotels. Who paid for this? This has to be found out by Intelligence.

Another person arrested was Shri Mahavir Prasad, former Additional Private Secretary of the erstwhile Foreign Minister Shri Chavan. Is it also a fact that because of this action some pressure was put on him before the elections? I am not blaming or involving Shri Chavan at all but I would like to know if it is a fact that somebody in his party tried to put pressure using this as a handle.

Shri Varshnoi was teaching in IIT Kharagpur, which received huge aid from USA. Another accused is Shri K. K. Sarin, Director of Perspective Planning. What are the seizure when the raid was carried out in his house? The other arrested persons are Shri Pannikar, Senior Research Officer in the Health Unit, Shri Eknath Choudhury, Senior Officer (Metals), STC, and some officers of MMTC and Steel and Mines Ministry.

A Canadian-USA firm Metchew, had been given contract for Kudremukh along with Bechtel (of the pipeline scandal) which was revealed by the Takhru Commission. The operation is controlled by a CIA man with an assumed name, Tedler, if I am right. Let the Home Minister confirm or deny this. Besides other things, they wanted to know the details of special metals used for MIG and other important defence equipment. I would like to tell the House how they operate. The scrapping of the factory that was producing aircraft in a particular country was sold to an outsider. Those were melted and used for making coat hangers. These coat hangers were used in an aircraft. They bribed the sweeper, the coat hangers were thrown in the waste paper basket. They picked it up, analysed the metal to see whether that metal could cause vibration and whether that metal

could stand the metal fatigue that any aircraft would develop. That is the way they work.

I would also like to know if some officers of the United States Wing of the External Affairs Ministry are also involved. Let this be confirmed or denied. Is it also a fact that Shri Jagat Mehta, Secretary-General of the External Affairs Ministry, tried to stop publication of this? Did he make such a request in the name of national interest? I would also like to know the names and details of the US diplomats declared person non-grata in recent months. Some time ago under some pressure, the erstwhile Government had ordered a probe into the conduct of the foreigners working for foreign firms in India. I would like to know the outcome from the Home Minister and the External Affairs Minister. May I know who are the liaison men who work for the Government of India undertakings and big firms and who got special photo passes from the Home Ministry? I would like to know how many passes have been issued and how many withdrawn during the last three months.

I would like to come to one or two things more.

MR SPEAKER You want to exhaust all your papers. You are expected to ask only one question. Now, please conclude.

SHRI JYOTIRMOY BOSU The New York Times, in its issue dated 10th May, 1975 has clearly indicated that the multi-national corporations in India viz. the Union Carbide, Hindustan Levers, Liptons, Firestone, etc. are on the pay-roll of CIA and they do get paid in dollars and that money goes straight into their pockets. Let the Home Minister inquire and find out.

I would like to know about the Boeing deal—the commission taken by certain big persons and certain parties. What were the conditions and the consideration?

[Shri Jyotirmoy Bosu]

Burmah-Shells also have admitted that they have paid commission to Indian officials, etc

Bechtel, that notorious firm, has been given contracts in Kudremuch within the country

Sir, there are big former officials on the pay of foreign firms. These are all very dangerous things.

MR SPEAKER Now please allow the Minister to say something.

SHRI JYOTIRMOY BOSU I will take only one more minute

The previous Government has entered into a contract with the American firm, International Dynamics. For what? For providing electronic surveillance of the Indo-China border..

MR SPEAKER. How does it arise?

SHRI JYOTIRMOY BOSU: The involvement of foreign espionage at every level of our life—at the official level, at the political level, at the commercial level and at every level.

MR. SPEAKER It is only calling attention to a particular subject. How is it connected? Please now conclude

SHRI JYOTIRMOY BOSU I have put this specific question. I would like the hon Minister or any other Minister who is now in charge of these things to tell us whether it is a fact or not and what are the specific details and information and what specific preventive measures they are going to take.

गृह मंत्री (चौधरी चरण सिंह) : अध्यक्ष महोदय, मैं यह मानता हूँ कि इस वक़्त सदन के सामने जो प्रश्न है, यह बड़ा गम्भीर और ग्राफ़क है, लेकिन जब तक उसके बारे में सही-सही जानकारी नहीं हो जाएगी — माननीय सदस्य को यहाँ बोल चुके हैं, वे भी इस बात

से सहमत हैं कि यह जनहित में नहीं है कि वे बातें खोल दी जाएं। वरना इसका इन्वेस्टीगेशन सही पड़ी हो सकेगा। जैसे ही इन्वेस्टीगेशन कम्प्लीट होगा, मैं सदन के सामने सारे कागज़ात और रिजल्ट्स रख दूंगा।

दूसरी बात — माननीय सदस्य ने और भी बहुत सा शिकायत का जिक्र किया है, मैं घ्राप के जरिए उन से दरखास्त करना चाहता हूँ कि वे सारी सूचनाएँ मेरे पास भेज दें और मुझे पकीन है कि गवर्नमेंट उन पर जो भी कार्यवाही करेगी उससे बाद उनकी कोई शिकायत नहीं रहेगी।

श्री कवर लात गुप्त (दिल्ली उद्गर) : अध्यक्ष महोदय हम दुनिया के सभी देशों से अच्छे सम्बन्ध चाहते हैं, लेकिन हम यह भी चाहते हैं कि हमारे देश की स्वतन्त्रता में और अन्दरूनी मामलों में कोई देश हस्तक्षेप न करे। इस लिए यह जो एक्स-एनैज का नेट है, यह भारत के इतिहास में सब से बड़े बेसेज में से एक है। इसके अन्दर करीब एक दर्जन आर्मीनिलज और मिनिस्टर के पी० ए० और कुछ मल्टीनेशनल कम्पनीज भी इन्वाल्ड है। भारकर्म यह है कि भार० पी० वार्पिंग पी० डायरेक्टर (मैटलज) प्लानिंग कमीशन में है, वे सी० आई० ए० और के० जी० पी० चीना के एजेन्ट है, यह एक प्रजीव मिथ्यन है कि वे दोनों से ऐसा ले रहे हैं और दोनों को इन्कॉर्पोरेट कर रहे हैं। घ्राप इस बात को भी जानते हैं कि ये बड़ी बड़ी ताकतें जैसे यू० एस० ए० एक साल में 6 बिलियन डॉलर्स एक्सपेंड पर खर्च करता है। इस तरह से फ० जी० पी० भी करोड़ों रुपए खर्च करता है। हमारे देश की निक्सोर्टी के बारे में एक किताब निकली है — सी० आई० ए० - दि कलर आफ इन्टेलिजेन्स—दस

विताव में लिखा है कि नार्थ इण्डिया में सी० आई० ए० एक्टिविटीज और के० जी० बी० एक्टिविटीज बहुत ज्यादा है। इस लिए मैं दो सवाल पूछना चाहता हूँ—

1 क्या यह सही है कि दा अमरीकन को भारत से सरकार ने हिन्दुस्तान से बाहर निकाल दिया? इसके बारे में अमरीकन एम्बेसी ने कोई कमेंट नहीं किया है, यह बात भ्रमखबर में निकली है?

2 क्या इसमें कुछ मल्टी-नेशनल कम्पनीज, जिनमें "सुगी इण्डिया" तो शामिल है ही इसके अलावा भी कुछ अन्य कम्पनीज इन्वाल्व्ड है?

3 मैं विदेश मंत्री महोदय से यह सवाल पूछना चाहता हूँ— क्या वे इस चीज पर विचार करें कि इस सवाल को इन्टरनेशनल लेवल पर उठाया जाए और दूसरे देश से सम्पर्क किया जाए कि इस तरह की एक्टिविटीज एक देश दूसरे देश में न करे। इस तरह का कोई कोड दुनिया ने सामने बनना चाहिए।

4 प्रायरी सवाल — हमारे देश में इस तरह की एक्टिविटीज बन्द हो—इस के लिए सरकार क्या विशेष कदम उठा रही है?

क्याकि अभी तक गवर्नमेंट की जो इंटेलिजेंस थी, यह अपोजीशन के ऊपर लगी हुई थी। अब देश की सुरक्षा के लिए इंटेलिजेंस लगाई जाए, इस प्रकार की व्यवस्था क्या सरकार कर रही है?

बीबरो चरण सिंह: , अध्यक्ष महोदय, जो मैं पहले भर्ष कर चुका हूँ उसी की दोहराते हुए एक यात्रा और एक करना चाहता हूँ और वह यह है कि जब

माननीय भिन्न मुझसे बात कर लेंगे और उस पर जो गवर्नमेंट कार्यवाही करेगी, तो मैं यकीन दिलाना चाहता हूँ कि उन्हें कोई शिकायत नहीं रहेगी और उनको यह मानना पड़गा कि गवर्नमेंट जितनी कार्यवाही कर सकती थी, उतनी उसने की।

SHRI JYOTIRMOY BOSU (Diamond Harbour) Sir, I want to raise the point about release of detenus. I want to draw the attention of the House to this important matter. I have given notice.

MR SPEAKER We pass on to the next item of the Agenda.

SHRI JYOTIRMOY BOSU I have no information whether you have disallowed it. This is a very important matter, regarding release of political prisoners.

MR SPEAKER You cannot get up and say such things whenever you like.

SHRI DINEN BHATTACHARYA (Serampore) In the other House it has been mentioned and the Minister replied.

MR SPEAKER I am on my legs. You cannot just get up and shout like this.

SHRI JYOTIRMOY BOSU I wrote to you, Sir.

MR SPEAKER Everyday I get hundreds of letters or notices. It does not mean that you can get up every time and say these things. If other Members also who send such notices get up and start speaking about it, there will be no end to it. No I am sorry. This is not at all proper. Please don't do it. The House is for all the 542 Members, not for one Member alone. Please don't do it.

[Prof Madhu Dandavate]

As a result of the accident, 6 persons are reported to have been killed 17 sustained grievous injuries and another 33 received minor injuries so far. On receipt of information about the accident Assistant Medical Officer Katpadi proceeded to the site immediately. Medical Relief Trains from Madras and Jolarpettai and road ambulances were rushed to the site. General Manager and Chief Medical Officer Southern Railway accompanied by other Heads of Departments, Divisional Superintendent, Madras and other Divisional Officers rushed to the site by road to supervise relief and rescue operations. All the injured persons were taken to Vellore by road ambulances and admitted in Mission Hospital and the Government Hospital. Ex-gratia payment to the next of kin of the dead and to the injured has been arranged.

Additional Member Mechanical, Railway Board has proceeded to the site of accident by air.

The Additional Commissioner of Railway Safety is likely to commence his statutory inquiry into this accident on 1-4-1977.

11 30 hrs

MATTER UNDER RULE 377

REPORTS THAT JUNE, 1975 PROCLAMATION OF EMERGENCY WAS ISSUED WITHOUT COUNCIL OF MINISTERS ADVICE.

SHRI SHYAMANANDAN MISHRA (Begusarai) Mr Speaker Sir under Rule 377 I rise to draw the attention of the House to a matter of great constitutional and political importance.

The internal Emergency which was imposed on the country in June 1975 ended a few days back after the Election. During this Emergency the country went through the darkest night of repression after indepen-

dence. Earlier, it was reported in the papers that the Presidential Proclamation on Emergency came without the aid and advice of the Council of Ministers and if at all there was any reference to it in the Cabinet, it was ex-post facto. This matter was also agitated in the courts. The present Defence Minister after his resignation from the Cabinet of Mrs. Gandhi confirmed this substantially in his Press statement when he said that the Cabinet was merely informed of it after the decision to impose emergency was taken. I quote from 'The Deccan Herald' dated the 4th February 1977.

Cabinet wasn't consulted on Emergency Ram"

Mr Jagjivan Ram, who resigned from the Union Cabinet and the Congress Party yesterday, told newsmen today that Cabinet was not consulted about the declaration of Emergency in June 1975, or the dissolution of the Lok Sabha and the holding of elections this year but was merely informed of the decisions by the Prime Minister, Mrs. Indira Gandhi.

If this was so it was a clear violation of Article 74(1) of the Constitution which says

"There shall be a Council of Ministers with the Prime Minister at the head to aid and advise the President, who shall in the exercise of his functions, act in accordance with such advice."

As the present Government, is committed through its Election Manifesto to taking such steps as would prevent the repetition of such a tragedy in future it is necessary and appropriate that the Government place full facts in this regard before the House in its very first sitting.

Finally it should also take steps to ensure that Article 74(1) is fully observed whether it is in respect of imposition of emergency or dissolution of the House or any other matter in which according to this Article, the aid and advice of the Cabinet is the very basis of presidential action.*

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH) Sir, the factual position in respect of the promulgation of emergency on 25th June 1975 is that the Proclamation was signed by the President on that date, that is, 25th, while the Cabinet approved the Proclamation on 26th June 1975 (*Inter-ruptions*)

MR SPEAKER I understand this cry is not aimed at me!

The approval of the Cabinet, therefore, was *ex-post-facto*. As the Vice President acting as the President of India has stated in his Address to both the Houses on 28th March 1977, the Government are already seized of the matter and are examining the question of providing adequate safeguards to prevent the possibility of declaration of emergency in similar circumstances in future. This is a matter which requires careful consideration and the Government would be taking appropriate measures in due course.

चौबरो बलबोर बिह (होनियारपुर) :
मगर साबिका प्रधान मंत्री ने कोई गलत
बदम उठाये हैं, तो उनके खिलाफ कानूनी
बाधबाही क्यों नहीं होनी चाहिये ?

कुछ माननीय सदस्य होगी, होंगे ।

11.35 hrs.

FINANCE BILL, 1977

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL) Sir, I beg to move*

"That the Bill to continue for the financial year 1977-78 the existing rates of income-tax with certain modifications and to provide for the continuance of the provisions relating to auxiliary duties of customs and excise and the discontinuance of the duty on salt for the said year, be taken into consideration."

The Statement of Objects and Reasons appended to the Bill briefly explain the specific provisions contained therein. This short Bill seeks to continue the existing tax structure for the financial year 1977-78. Accordingly, the rates of income-tax specified in the Finance Act, 1976, for the purpose of deduction of tax at source from salaries during the financial year 1976-77, for computation of advance tax payable during that financial year and for certain special purposes are proposed to be continued for making assessments for the assessment year 1977-78. The same rates are also proposed to be continued for deduction of tax at source from salaries during the financial year 1977-78, for computation of "advance tax" payable in that financial year, as also for the said special purposes.

The provisions enabling companies to make deposits with the Industrial Development Bank of India in lieu of payment of surcharge on income-tax are also proposed to be continued.

Under the provisions of the Finance Act, 1976, the net agricultural income of individuals, Hindu undivided families, unregistered firms etc. is taken into account for determining the rates of income-tax applicable to their non-agricultural income. These provisions are proposed to be continued for the financial year 1977-78. A consequential modification is, however, proposed to be made in the provisions relating to the set off of the unabsorbed loss in agriculture. The amendment seeks to secure that besides the unabsorbed loss for certain years, the loss for the previous ac-

*Moved with the recommendation of the Vice-President acting as President.

(Shri H M Patel)

counting year relevant to the assessment year 1976-77 is also set off against the agricultural income for the accounting year relevant to the assessment year 1977-78. The proposed amendment further seeks to provide that the unabsorbed loss in agriculture for the accounting year relevant to the assessment year 1977-78 may also be set off in determining the net agricultural income for purposes of payment of advance tax etc. during the financial year 1977-78.

Clauses 3, 4 and 5 of the Bill deal with indirect taxes while clauses 3 and 4 seek to levy up to the 31st day of March 1978 the existing rates of auxiliary duties of customs on all imported goods and auxiliary duties of excise on all excisable goods. Clause 5 provides that salt shall be duty free for another year.

Clause 5 provides that salt shall be duty free for another year. Hon. Members will notice that so far as indirect taxes are concerned, the Finance Bill does not contain any new tax proposals and all taxes continue in the same form as in the year 1976-77. I trust that this short and simple Bill will receive the unanimous approval of his House.

MR. SPEAKER. Motion moved.

"That the Bill to continue for the financial year 1977-78 the existing rates of income-tax with certain modifications and to provide for the continuance of the provisions relating to auxiliary duties of customs and excise and the discontinuance of the duty on salt for the said year, be taken into consideration."

I find that nobody wants to speak from this side.

SHRI BASHIR AHMED (Fatehpur). Sir, I have moved an amendment, shall I read it out?

MR. SPEAKER. But it is for clause 2. Anyway you may say what you want to say. You need not read out that amendment.

SHRI BASHIR AHMED. During the period of emergency several persons were detained under the Maintenance of Internal Security Act and the Defence of India Rules. Several excesses were committed. Some businessmen were also arrested. I do not want to talk about persons who had been arrested for economic offences. I am talking about persons who had been arrested for political reasons. They were arrested for no rhyme or reason, the only reason was to settle the former Prime Minister in power. It is in the fitness of things that efforts should now be made to grant some income-tax relief to those persons who had been released only recently. They have not been able to carry on their business, their operations were brought to a standstill. There are a large number of professors, teachers, lawyers, doctors etc. and their houses were searched and all this was for political reasons. You are also aware that a large number of raids were carried on under the garb of income tax raids, their properties were raided and searched. Big business houses were spared, only the poor persons were affected. Those income-tax raids were carried on by income-tax authorities without any rhyme or reason to terrorise and demoralise the public. Certain persons were put behind the bars. I have moved an amendment that those persons who suffered due to such politically motivated actions should be granted income-tax relief because they had been converted into virtual refugees and they are in great distress. So the hon. Finance Minister should accept the amendment proposed by me, which should include a provision like this, namely, excluding those who had been arrested under the Economic Offences Act. The rest of the amendment should remain the same.

MR. SPEAKER. I find there are no other speakers. The question is

"That the Bill to continue for the financial year 1977-78 the existing

rates of income-tax with certain modifications and to provide for the continuance of the provisions relating to auxiliary duties of customs and excise and the discontinuance of the duty on salt for the said year, be taken into consideration

The motion was adopted.

Clause 2—(Income-tax)

MR. SPEAKER Now we shall take up clause 2. Father Anthony

SHRI DINEN BHATTACHARYYA (Serampore). There should be a general discussion, I want to speak

MR. SPEAKER. I have called him.

SHRI DINEN BHATTACHARYYA This is the general practice I do not know how you had been advised like this, because you were not here for a long time There should be a time limit for general discussion

MR. SPEAKER I knew the procedure. Nobody stood up to speak. We have taken clause 2. You can speak on clause 2 also

SHRI BASHIR AHMAD (Fatehpur) I beg to move

"Page 4,

after line 12, insert—

"Provided that no income-tax shall be charged on the income of defensus held under the Maintenance of Internal Security Act and D.I.R. and from the heirs of the deceased victims detained during the period of emergency." (1)

MR. SPEAKER. You can speak on Clause 2, if you want.

SHRI DINEN BHATTACHARYYA: Certain urgent issues are there. You are not allowing us to speak.

MR. SPEAKER: Now I am allowing him. He is speaking on Clause 2 of this Bill. You can also speak on this. Anyway your name also must come from the party.

फादर अन्थोनी मुझ (राजमहल) :
 भ्रमश महोदय, मैं उस आदिवासी क्षेत्र से आता हूँ, जहाँ पहाड़ी इलाकों और जंगलों में हिन्दुस्तान की खदानों और हेवी इंडस्ट्रीज हैं। मैं यह कहना चाहता हूँ कि देश का जो पैसा है, उस का वितरण सही रूप से नहीं होता है। ज्यादा पैसा महरो में जाता है और गांवों की उपेक्षा की जाती है। जिन क्षेत्रों में खदानों और हेवी इंडस्ट्रीज हैं, वहाँ के निवासी भूख से मर रहे हैं और उन के पास कपड़ा और मकान नहीं हैं। यदि आप के मन में सेयरहोल्डर का कनसेप्ट है, तो जिस इलाके से आप लेबोरा, लोहा और तांबा आदि तरह तरह के खनिज पदार्थ मिलते हैं, वहाँ के आदिवासियों और हिरजनों को भी सेयरहोल्डर समझना चाहिए और कुछ सामान उन के लिए भी रखना चाहिए। लकड़ी आदि सामान की वैजना की वगैरे बाहर जाती है, लेकिन उन क्षेत्रों के रहने वालों को कुछ नहीं मिलता है। यह कहा जा भ्याम है ?

यह भी समझ लेना चाहिए कि आदिवासियों ने हिन्दुस्तान के लिए बहुत कुछ दिया है। पञ्जाब से लेकर आसम तक और काश्मीर से लेकर गुजराती प्रतरीय तक हम लोगों ने देश के लिए बहुत काम किया है। हमने हिन्दुस्तान को हैबिटेबल बनाया है और जंगलों को साफ कर के खेतों को खेतों के सामान बनाया है। लेकिन उस के बदले में हम क्या प्राप्त कर रहे हैं ? तीन परस की आजादी में हम का कुछ नहीं मिला है। जो नुबिषायें महरो में मिलती हैं, वे गांवों में भी मिलनी चाहिए। दाइबल एरिया एक गेजिटेड एरिया है। अब हम धुपचाय नहीं बेट कर रहे हैं। जो गलती पहले हुई है, यह सब नहीं होनी चाहिए।

[कादर मन्योनी मूहम]

हम लोगों पर यह दोष लगाया जाता है कि हम अपना धन एरिया बनाना चाहते हैं— हम झारखंड या नागालैंड मांगते हैं। लेकिन हिन्दुस्तान के टुकड़े किस ने किये? चाप हिन्दुस्तान का नक्का लाइये और बताइये कि पाकिस्तान और बंगलादेश किस तरह बना? हम आदिवासी तो एक प्रखंड भारत को जानते हैं।

MR SPEAKER Please speak something which is relevant to the Bill

कादर मन्योनी मूहम : रैजिमेंट बात यह है कि हम को खाने को नहीं मिलता है। चाप हम पर दोष लगाते हैं कि हम हिन्दुस्तान के टुकड़े करना चाहते हैं। लेकिन चाप ने हिन्दुस्तान के टुकड़े टुकड़े कर दिये हैं। मैं चाप से यह प्रार्थना करता हूँ कि चाप जितना धन हमारे क्षेत्र से लेते हैं उसी के अनुपात में, उसी प्रोसेस से हम का भी कुछ खाने को दीजिए, रहने को सुविधा दीजिए, यह मैं कहता हूँ, नहीं तो अमला हो जायेगा।

SHRI DINEN BHATTACHARYYA (Scramapore) Sir, I would like to take this opportunity to make some observations which to my mind are very important and urgent. Some impression was sought to be created here by the opposition, that is, the Congress Party, specially by Mr Subramaniam, that the picture of the Indian economy was very rosy. I find from today's newspapers that the West Bengal Finance Minister also has tried to paint a rosy picture of the economy of West Bengal. But the fact is that there is a mess everywhere—in industry, in agriculture and in everything. Already ten jute mills are closed for a long time. So many assurances were given on the floor of the House by the previous government that they would be re-opened, but still they are closed and more mills are facing crisis. They may also be closed at any time. I gather this information from the

newspapers today. So, the new Finance Minister must make a positive statement as to what will happen to the sick mills which have been deliberately made sick by the big industrialists. The then Central Government were responsible for all this sickness.

I heard big talk here about rural unemployment and rural industries but nothing had been done by Mrs Gandhi's Government. The condition of handloom weavers is beyond imagination. They are starving. A whole of family of 8 members work hard for the whole day, but still they cannot earn two square meals a day. All the cottage industries are also facing the same crisis. Some positive action must be taken immediately. I know the present government did not get much time and thus Bill does not reflect the policy of the Janata Government. This budget was prepared by the Congress Government whom the people have thrown out into the dust bin. The Janata Government must come forward with positive statements and actions to solve these issues. Apart from the creation of additional employment potential, I want to know the condition of the existing sick mills and the lakhs of workers who have been thrown on the street. This must be looked into seriously.

In the budget papers I saw some item about increase in the expenditure on police and jails. Why? Congress Government depended only on police and jails and they had no face to go before the public and announce their policies? This is why in every election meeting the then discredited Prime Minister herself had no guts to explain to the public what was her policy regarding the development of our country. I heard that in her first election meeting lakhs of people were gathered to hear her but afterwards, nobody came to listen to her speech and she had to come frustrated from wherever she went.

My humble submission to the Finance Minister is that he must take care to see that the increase in the prices of essential commodities must be checked. You will wonder to know that in eastern India we have to purchase mustard oil at Rs 14/- to 15/- a kilo. You could not dream of it in any time. So, this increase in the prices of essential commodities must be checked. I know that you do not have any magic as Mrs Gandhi had. Very often she used to point out that she would eradicate poverty. What she had done was that she had eradicated the poor people. Even from Delhi lakhs and lakhs of jhuggi jhopriwalas had been driven out of Delhi.

AN HON MEMBER Now, you will bring them back.

SHRI DINEN BHATTACHARYYA In spite of your obstacles those people will be brought back. The Government must try for that. But is it not a fact, I ask you gentlemen, sitting on the Congress side that you have driven out washermen,

हजमन वालों को और मनी की भगा
दिवा।

One more point and I will end my speech, positive steps must be taken to bring down the prices of essential commodities. There should not be any increase in the expenditure of police or jails. They are saying that Janata Party have pleaded for the release of smugglers. You, Congressmen, should be ashamed of the fact that you fought the election with their money. Is it a fact or not?—I ask you Congressmen. You fought the election with their black money. Smugglers are always with you. And even now, they are making a conspiracy to topple the Janata Government along with you. You must know the feeling of the Janata Masses have voted the present government to power. There is a slogan common among the people, which

I hear when I go from place to place in West Bengal. They say Indira khatam ho gayi hai, Indira fund ko wapas karo. Not only do they want the CDS to be stopped, but they want the money to be returned to them. That is the cry of the masses. The Finance Minister should consider it. No pious wish and promise will do. People want to hear you say that you will not only stop taking CDS money—you were withholding 50 per cent from the ordinary workers—but you must also return the money that has been accumulated and lying with the government. That is the cry all over the land. In our place they say 'Indira ko khatam kardiya, ab humara Indira fund wapas karo'.

12 00 hrs.

I am grateful to the Railway Minister who has made a bold statement. To day Mr Fernandes also has made a statement that all the dismissed employees will be taken back, and also all the suspended employees will be taken back. The same thing should be done with regard to the other who are not directly in government service, but are serving in the private sector. That point must be looked into. I know that it is not within the purview of the Finance Minister. Government as a whole must take a policy decision to the effect that those who were dismissed in a vindictive manner should be taken back.

Another point. My friends know that some textile mills were taken over by government and then nationalised. They are run by the so called National Textile Corporation. It is nothing but the looting people. They used it as a political asylum for goondas who worked for them in the election. I can cite hundreds of examples before this House to indicate how the factories run by the NTC are being used to employ the goondas who worked for them for purposes of election propaganda. An enquiry is necessary in this mat-

(Shri Dinesh Bhattadaryya)

ter The ex Commerce Minister said on this very floor that the 14 mills run by the NIC in West Bengal are incurring a loss of between Rs 50 lakhs and Rs 60 lakhs every month. The present Finance Minister should look into this matter and set up an inquiry so that all this corruption may be brought to light

Now the last point. It has been published in all the newspapers of West Bengal that during the last elections riggings and corrupt practices were organized by no less a person than the Chief Minister, Mr Ray. Why should not an enquiry be set up against such a person who has no moral right to continue in office? This point is being raised by my people. That is why I am raising this issue. With these words, I conclude.

श्री बटेश्वर हेमरम (दुमका) अध्यक्ष
महोदय, मैं आप ५ सामन दो तीन बातें
बहने के लिए खड़ा हूँ ।

प्राज देश में एकता आई है और मानवता के लिए यह एकता बहुत अच्छी होती है । जहां पर मैं हम आप हैं वहां हम प्रति दिन देखते हैं कि वहां के जनवासियों की हालत के बारे में आज तक नहीं सोचा गया है और इसलिए देश के राजनीतिक सम्बन्ध के बारे में वहां के लोगों को भी भालूम नहीं रहता है । वह भवन इतना देखते हैं कि बोन हमारी बातें सहानुभूतिपूर्वक और प्रमत्तक सुनता है और उस के साथ वे बराबर रहते हैं । आप को भालूम है सभाल परगणा में, जहां पर अंग्रेजों के जमाने में एक शान्ति हुई थी, वहां के लोगों के बराबर बहने पर भी अंग्रेज लोग उन की बात नहीं सुनते थे और जब लोगो ने देखा कि हमारी बातें सुनने के लिए कोई तैयार नहीं है, तो उन्होंने एक ग्रान्दोलन किया । पहले उस जिले का नाम पर्वतीय प्रचन था और वह इस नाम से

प्रसिद्ध था तब, जब एक हां कर लोगो ने वहां ग्रान्दोलन किया और ग्रान्दोलन के बाद उस जिले में 1855-56 में अंग्रेजों को खदब दिया था, तो उस ने पलस्वरूप अंग्रेजों ने सोचा कि इस तरह से तो लोग इस देश से उन्हीं भगा देंगे और हमारा काम नहीं चलेगा और उन्होंने उन लोगों के लिए एक योजना बनाई । उन्होंने वहां के लोगों को बुलाया और बुलान के बाद वहां कुछ समिति बना दी गयी जो वहां के लोगों की भागा को देखती थी और वह देखती थी कि कैसे गांवों में मामला न्याय न्याय जा सकता है । उस के अनुसार अंग्रेजों ने उस जिले का नाम 1856 में सभाल परगणा रखा, लेकिन आज सभाल परगणा में लोग इसकी बुरी हालत में हैं कि प्रति दिन उन को 30, 40 मील भां बर सहरो में काम करना पड़ता है । वहां पर जमीन है, पर्वत है और जंगल हैं लेकिन वहां के लोगों को आप यदि जा कर देखेंगे तो गांवों में 4 महीने से अधिक उन्हें काम नहीं मिलता है । सभी जो इन्वैन्स हूए थे, उस में आदिवासियों में क्षेत्र में 30 प्रतिशत से अधिक बोट नहीं पड़े क्योंकि लोग गांवों में नहीं रहते हैं और वे काम की खोज में दूसरे प्रान्तों में चलें गये हैं । कोई बगाल चला गया है, कोई आसम चला गया है और कोई कोयलाखानों पर काम के लिए चला गया है और बाकी, जो लोग हैं वे सारे आसपास सहरो में काम की खोज में चले जाते हैं ।

SHRI SHAMBHU NATH CHATURVEDI (Agra) Sir, on a point of order I think there is some confusion about the list of names. Because, the names of Members have been given for speaking on the President's Address. But that discussion has not yet started. Now the Finance Bill is under consideration, this confusion should be removed.

MR. SPEAKER. They are speaking on the amendment that has been moved.

श्री बटेश्वर हेमरम : मैं कहना चाहता हूँ कि उस इलाके में लोग इतने विवश हैं कि काम की खोज के लिए उन्हें दूर दूर जाना पड़ता है और वे लोग स्वतंत्रतापूर्वक कोई भी काम नहीं कर पाते। इसलिए उस इलाके में यदि वारखाने खोले जाएं तो मजदूरी से उनका जीवन सफल हो सकता है।

दूसरे उन लोगों के पास जमीन बहुत अधिक है किन्तु उस जमीन में सिंचाई का कोई साधन नहीं है और न जमीन ही उपयुक्त है। अधिकतर जमीन बजर पड़ी हुई है। सरकार की ओर से जमीन की दुहाई के लिए पैसे खर्च किए जाते हैं लेकिन वह पैसा इतना अपूर्ण होता है कि उससे केवल मेड़ बना दी जाती हैं और जमीन प्रसमत्त पड़ी रहती है। जमीन पर केवल मेड़ बना देने से खेती नहीं हो सकती है। जब तक जमीन को उपजाऊ नहीं बनाया जाता तब तक उसमें उपज कैसे हो सकती है? जो मेड़ बनाई जाती है वह भी एक-दो वर्ष में समाप्त हो जाती है और फिर असमत्त जमीन ज्यों की त्यों पड़ी रहती है। इसलिए सरकार की ओर से उन आदिवासियों के लिए ऐसी योजना बनाई जाए कि जो पैसा जमीन के लिए खर्च किया जाता है वह आदिवासियों को मिल जाए और वे अपने से जमीन को खेती के लायक बनावे। अभी यह होता है कि उन स्थानों पर ठेकेदारों को इस काम के लिए जमीन दे दी जाती है और जो पैसा इस काम के लिए खर्च किया जाता है उसका आधा पैसा ठेकेदार या जाते हैं और कुछ पैसे से ठेकेदार खेत की मेड़ बना कर छोड़ देते हैं। सरकार की ओर से यदि योजना बना कर जमीन के लिए पैसा उन लोगों को दे दिया जाए तो उन्हें ही पैसे से उनका खेत भी बन जाएगा और मेड़ भी बन जाएगी।

जमीन की सिंचाई वहां हुआने के द्वारा ही हो सकती है। क्योंकि वहां इस तरह की जमीन नहीं है कि कोई डैम बना कर या बांध बना कर उस जमीन के लिए सिंचाई का प्रबंध किया जाए। वहां की जमीन ऊबड़ खाबड़ है, उथी नीची जमीन है। उस जमीन पर नीचे से ऊपर पानी नहीं जा सकता है। डैम को तो नीचे ही बनाया जा सकता है। अगर वहां बड़े बड़े कुए बना कर सिंचाई का प्रबंध किया जाए तो इससे भी वहां के लोगों को काम दिया जा सकता है।

वहां के लोगों को काम करने के लिए दूर दूर की जगहा पर जाना पड़ता है। इस तरह दूर दूर के स्थानों पर जाते हुए वही वही मजदूरी को रास्ते में भ्रष्ट के कारण अपना जीवन भी समाप्त करना पड़ता है और गर्भवती स्त्रियों का रास्ते में गर्भपात भी हो जाता है। इस सब का कारण है कि वहां यातायात का बहुत अभाव है। रेलवे लाइन एक भी नहीं है। रामपुर से दुमका होते हुए बंधनाम्याम तक और बीनी से हसडिया होते हुए जसीडीह तक रेल लाइन बिछाने का प्रबंध किया गया था लेकिन वह काम अभी तक पूरा नहीं हुआ है। इसका क्या हुआ यह नहीं कहा जा सकता। इसलिए अख्यत महोदय से मैं निवेदन करना चाहता हूँ कि वहां के आदिवासियों के विचारों के लिए एक ऐसी योजना बनाई जाए जिससे उनकी रोजी-रोटी की व्यवस्था हो सके। वहां कारखाने खोले जाएं, रेलवे की लाइन बिछाई जाए, सबके बना कर वहां के लोगों के लिए यातायात के साधन जुटाए जाए। इसी तरह से उन लोगों को कुछ राहत मिल सकती है।

MR. SPEAKER I shall put the amendment to the House.

SHRI BASHIR AHMED I do not press it.

MR SPEAKER Has he the leave of the House to withdraw his amendment?

HON MEMBERS Yes

Amendment No 1 was, by leave, withdrawn.

MR. SPEAKER The question is

'That Clause 2 stand part of the Bill'

The motion was adopted.

Clause 2 was added to the Bill

MR SPEAKER There are no amendments to other clauses I shall put them to the vote of the House The question is

'That Clauses 3 to 5, Clauses 1, the Enacting Formula and the Title stand part of the Bill'

The motion was adopted

Clauses 3 to 5, Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI H M PATEL I beg to move

'That the Bill be passed'

MR. SPEAKER The question is

That the Bill be passed'

The motion was adopted.

12 15 hrs

MOTION OF THANKS ON THE ADDRESS BY THE VICE-PRESIDENT ACTING AS PRESIDENT

MR. SPEAKER We shall begin discussion on the President's Address.

श्री कपूरी ठाकुर (समस्तपुर) :
अध्यक्ष महोदय, मैं प्रस्ताव करता हूँ —

“कि राष्ट्रपति के रूप में कार्य करते हुए उपराष्ट्रपति की सेवा में निम्नलिखित शब्दों में एक समावेदन प्रस्तुत किया जाए .—

“कि इस सत्र में समवेत लोक सभा के सदस्य राष्ट्रपति के रूप में कार्य करते हुए उपराष्ट्रपति के अभिभाषण के लिए जो उन्होंने 28 मार्च, 1977 को एक साथ समवेत ससद् की दोनों सभाओं के समक्ष देने की कृपा की है, उनके अत्यन्त आभारी हैं।”

राष्ट्रपति जी ने अपने अभिभाषण में जो चुनाव प्रश्न सन्नाप्त हुए हैं और उनके जो परिणाम आए हैं उनके आधार पर देश और दुनिया को यह बताया है कि लोकतन्त्र की जड़ें भारत में गहरी जमी हुई हैं और जनता लोकतन्त्र में विश्वास करती है। उन्होंने यह भी बताया है कि चाहे जो कुछ हो भारत की जनता शैतानी तरीकों पर न केवल विश्वास करती है बल्कि उनके पाश्वर्य से देश में सत्ता परिवर्तन करना भी जानती है और देश को निर्माण के पथ पर अग्रसर करना भी जानती है। जो चुनाव परिणाम आए हैं, चुनाव प्रणाली से मोटे मोटे तौर पर ये कुछ आंकड़े प्राप्त किये हैं और उनको मैं सदन के समक्ष रखना चाहता हूँ। इनके अनुसार कांग्रेस को 57.36 प्रतिशत तथा जनता पार्टी को 32.33 प्रतिशत मत मिले हैं। मसूम में कांग्रेस को 50.56 प्रतिशत और जनता पार्टी को 35.78 प्रतिशत मत मिले। बिहार में कांग्रेस को 22.90 प्रतिशत और जनता पार्टी को 65.01 प्रतिशत मत मिले। हरियाणा में कांग्रेस को 17.95

प्रतिशत और जनता पार्टी का 70 35 प्रतिशत मत मिले हैं। हिमाचल प्रदेश में कांग्रेस को 38 30 प्रतिशत और जनता पार्टी को 58 37 प्रतिशत मत मिले हैं। कर्नाटक में कांग्रेस को 56 74 प्रतिशत और जनता पार्टी को 49 84 प्रतिशत मत मिले हैं। मध्य प्रदेश में कांग्रेस को 32 50 प्रतिशत और जनता पार्टी को 57 95 प्रतिशत मत मिले। महाराष्ट्र में कांग्रेस को 46 93 प्रतिशत और जनता पार्टी को 32 39 प्रतिशत मत प्राप्त हुए। गुजरात में कांग्रेस को 46 92 प्रतिशत और जनता पार्टी को 49 54 प्रतिशत मत प्राप्त हुए। केरल में कई पार्टियाँ थी इसलिए मैं इसको छाड़ देता हूँ। उड़ीसा में कांग्रेस को 38 18 प्रतिशत और जनता पार्टी का 51 77 प्रतिशत मत मिले। राजस्थान में कांग्रेस को 30 56 प्रतिशत और जनता पार्टी को 65 21 प्रतिशत मत प्राप्त हुए। तमिलनाडु में भी भिन्न पार्टियाँ हैं इसलिए उसको भी छाड़ देता हूँ। उत्तर प्रदेश में कांग्रेस को 25 04 प्रतिशत मत मिले और जनता पार्टी को 68 03 प्रतिशत मत मिले। पश्चिम बंगाल में जनता पार्टी और मित्र दल को 65 प्रतिशत मत मिले और कांग्रेस पार्टी और उसके मित्र दलों को 35 प्रतिशत मत प्राप्त हुए। अन्य जो छोटे छोटे राज्य हैं उन को छोड़ देता हूँ। कुल मिलाकर कांग्रेस को 34 54 प्रतिशत और जनता पार्टी तथा उसके मित्र दल का 65 दशमलव कुछ प्रतिशत मत प्राप्त हुए। इन आँकड़ों से यह प्रमाणित होता है कि प्रथम बार भारत में वोट के आधार पर बहुमत का शासन कायम हुआ है। इनके पहले या चुनाव परिणाम हैं 1952 से लेकर 1971 तक, वे बतलाते हैं कि कांग्रेस को वोट हमेशा कम प्रतिशत मिले लेकिन सीटें मिली ज्यादा। यानी बहुमत के आधार पर, जितने वोट कांग्रेस को प्राप्त हुए उसका विस्तारण बतलाता है कि बहुमत के आधार पर कांग्रेस न बन सका देश पर शासन दिया। लेकिन इस बार चुनाव परिणाम के आँकड़े यह बतलाते हैं कि बहुमत का शासन

सच्चे अर्थों में हिन्दुस्तान में कायम हुआ है। हिन्दुस्तान की जनता ने यह सिद्ध कर दिया है चुनाव द्वारा कि आजादी अमर है, आजादी की भावना अमर है, आजादी को आग अमर है। कांग्रेस को कौन पछे, जमा। इन्दिरा गांधी को छोड़ें। पूछें दुनिया को कोई भी बड़ी स बड़ी ताकत आजादी की भावना को नहीं दबा सकती, आजादी की आग क नहीं बुझा सकती। पूरे 19 महीना में यही अनवरत प्रवास किया गया कि आजादी का सत्यानाश किया जाय।

कहा गया देश आजाद है देश पहले में मजबूत बना है, ताकतवर बना है। दुनिया का जो परिणाम हमारे सामने है वह शायद हमारी भूतपूर्व प्रधान मंत्री के सामने नहीं थे। वायज प्रतिपक्ष के नेता बंटे हुए हैं, श्री गणेशन जी, उन्हीं के सामने नहीं थे। दुनिया के उदाहरण यह बतलाते हैं कि देश आजाद हो सकता है, फिर भी वहाँ की जनता गुलाम हो सकती है। हिटलर के जमाने में कौन नहीं जानता है कि जर्मनी आजाद और ताकतवर था और उसका तानाशाही में जर्मनी इकट्ठा हुआ और हिटलर को जर्मनी ने धरप ही नहीं सारी दुनिया को चुनौती दी। जर्मनी आजाद जरूर था मगर जर्मनी की जनता गुलाम थी। मुसोलिनी के जमाने में इटली आजाद था, मगर वहाँ की जनता गुलाम थी। फ्राँस का जब एक स्पेन का तानाशाही २२ स्पेन आजाद था, मगर स्पेन की जनता गुलाम थी इसी तरह से पुर्तगाल में सत्याजार् के समय में पुर्तगाल आजाद था, लेकिन वहाँ की जनता गुलाम थी। जब पाकिस्तान में अयूब खाँ और याहिया खाँ तानाशाह थे उन समय पाकिस्तान बशक आजाद था लेकिन वहाँ की जनता गुलाम थी। आज नेपाल में राजाशाही है, तानाशाही है, नपाय आजाद है, लेकिन वहाँ की जनता गुलाम है। उसी तरह से पिछले 19, 20 महीना भारत आजाद था, आजाद रहा और आज भी है, लेकिन 20 महीना में भारत की जनता

[श्री कर्पूरी ठाकुर]

मुलामी को बेझिरो से जकड़ी हुई थी, इससे इन्कार नहीं किया जा सकता। इस चुनाव ने साबित किया कि देश ही नहीं बल्कि जनता भी आजाद रहेगी। इस चुनाव ने मित्र कर दिया कि व्यक्ति से बड़ा देश है। चुनाव ने साबित कर दिया कि इन्दिरा से कानून और सविधान बड़ा है।

इन चुनाव ने यह साबित कर दिया है कि एमर्जेन्सी के बारे में जो घोषणाएँ होती थी कि एमर्जेन्सी अनुशासन, कठिन परिश्रम, अधिक उत्पादन, एकता और अग्रगता के लिये है, लोकतन्त्र की रक्षा के लिये है, यह सब गलत साबित हुआ। साबित यह हुआ है कि वे लोग जो एमर्जेन्सी देश में चला रहे थे वह लूट, छूट और छूट के लिये थी और पूँजीपतियों तथा इजारेदारी में भयंकर कूट के लिए थी। जितना बड़ा छूट इस एमर्जेन्सी में फैलाया गया, चापद घगर घाव हिलकर जिन्दा होता तो वह भी ईर्ष्या करता भारत के छूट पर जो कि एमर्जेन्सी काल में रात-दिन, कुछ घाम फैलाया गया।

यह गया कि लोकनायक जयप्रकाश नारायण फासिस्ट है, प्रतिश्चिन्नादी है। मैं अपनी तरफ से नहीं कहना चाहना, एक किताब "बी नेहरू" लिखी हुई है जिसे स्वर्गीय श्रीमती कृष्णा हृदीसिंह ने लिखा है। उन्होंने उसमें लिखा है कि हमारे भाई साहब बड़े समाजवादी है, बड़े देशभक्त हैं और बड़े भारी प्रगतिशील हैं लेकिन साथ ही उस किताब में यह भी लिखा है कि मेरा भी विचार है और हिन्दुस्तान के ग्राम लोगों का भी विचार है कि मेरे भाई नेहरू जी से ज्यादा अधिक समाजवादी, अधिक प्रगतिशील जयप्रकाश नारायण हैं। भूतपूर्व प्रधान मंत्री जी की बुद्धा जी ने जो कुछ लिखा था, प्रधान मंत्री ने उसको झुठलाने को कोशिश की। यही नहीं, बड़े पैमाने पर लूट हुई, करोड़ों की लूट हुई, हर शहर और बाजार में लोग लूटे, भय दिखताकर, पोलिश करके लोगों को लूटा गया। मीना

घोर बागडर का भय दिखताकर लोगों को लूटा गया। हर जगह हा-हाकार मचा हुआ था। इस तरह को लूट हमारे देश में चल रही थी और जेलों में लाखों लोग बन्द किए गये। बाहर साठियाँ जिस तरह से बरमाते रहे उसी तरह सैकड़ों की संख्या में जेलों के भन्दर भी साठियाँ, गोवियाँ चलती रहीं। यह भी पता लगता है कि लूट की एमर्जेन्सी थी, सोफ़्तव की एमर्जेन्सी नहीं थी।

मैं समझता हूँ कि 30 वर्षों के स्वराज्य के काल में इतनी बड़ी-बड़ी छूट, इतनी बड़ी बड़ी रियायतें हिन्दुस्तान के पूँजीपतियों को नहीं दी गई थी जितनी कि इस एमर्जेन्सी के काल में इन लोगों को दी गई। कहा यह जाता है कि हिन्दुस्तान में समाजवाद चल रहा था और समाजवाद चल रहा है। इस चुनाव ने यह मित्र कर दिया है कि—

बड़ा पंथ कबीर का, उपजा पुत कमाल। इस एमर्जेन्सी ने यह भी साबित कर दिया है कि ईमानदारी को गद्दारी, लानागाही को लोकागाही, और धातक को अनुशासन कहा गया। इसी प्रकार इन्दिया को इन्दिरा और इन्दिरा को इन्दिया कहने का जमाना हमें का के लिये भय लड़ गया।

हमारे राष्ट्रपति जी ने अपने अभिभाषण में बताया है कि यह एमर्जेन्सी व्यक्ति की सत्ता की वृद्धि के लिये थी, इसमें वैर-उद्बैधानिक अधिभार का केन्द्र बन रहा था। हम राष्ट्रपति जी को धन्यवाद देते हैं कि उन्होंने सच्चाई और खल का उद्घाटन अपने अभिभाषण में किया है। दुनिया और देश की जनता के सामने तथ्यों को सही सही ढंग से रखा है।

जहाँ मोठा कानून के बारे में भी उल्लेख है, वहाँ उसे भी रद्द किया जायेगा। मोठा कानून बाबा कानून है, यह निरपराध और निपत्तक लोगों को जेलों में ठूँसने का कानून है। यह उसी तरह का कानून है जैसा रोलेट कानून था। श्रीमती विजय लक्ष्मी पंडित ने अपने भाषण में पटना में कहा था कि जिस तरह रोलेट एक्ट में न वकील की, न दलील की और

न अपील की गुजाइश भी उसी तरह का मीसा वानून भूतपूर्व प्रधान मंत्री ने कानून के रूप में बनाया। इस कानून के अन्तर्गत जो अधेर हुआ है, उस के हजार नहीं, पचासो हजार उदाहरण दिये जा सकते हैं। लेकिन मैं केवल एक उदाहरण दगा।

बिहार में एक साधू महाराज मीसा में पकड़ कर जेल में लाये गये। विद्यार्थियों नौजवानों, सर्वोदय के कार्यकर्ताओं और विरोधी दलों के नेताओं और कार्यकर्ताओं ने उन से पूछा कि हम लोगों पर तो श्रीमती इन्दिरा गांधी की विशेष कृपा है, इस लिए हम जेल में हैं, लेकिन आप ने क्या कसूर किया, जो आप जेल में पहुँच गए। साधू महाराज ने जवाब दिया कि मैं नहीं जानता हूँ कि मेरा क्या कसूर है, मेरा नियम है कि मैं रोज गड़क म स्नान करने जाता हूँ, वहाँ जात और लौटते हुए मैं भगवान का नाम जपता हूँ, आज सुबह भी मैं "जय नारायण, जय नारायण" कहाँ हुआ जा रहा था, बगल में एक दरोगाजी खड़े थे; उन्होंने यह कह कर मुझे गिरफ्तार कर लिया कि यह व्यक्ति जयप्रकाश नारायण की जय बोल रहा था।

दुनिया के इतिहास में इतना बड़ा अधेर और अन्याय कहाँ हुआ होगा, जो हिन्दुस्तान में हुआ है? इसलिये राष्ट्रपति जी ने ठीक ही अपने अभिभाषण में कहा कि मीसा कानून को समाप्त कर दिया जायेगा।

प्रियेशन आफ पंडित नेत। अरु प्राध-
जेकनेवेस मंडर एक्ट की घातमा को पढ़ने के बाद लगता है कि इन दिन दुनिया में पहुँच गये थे। हम सोचने के कि माजारी की लड़ाई लड़ते हुए और स्वराज्य के बाद भी जिन हिन्दुस्तान पर सपना हम देखते थे, क्या यह वही हिन्दुस्तान है, या कोई दूसरा हिन्दुस्तान है। ऐसा अधेर करने वाला कानून और अधिकारियों को प्रमीम अधिकारों से सँस करने वाला कानून! किसी भी लेख, बचान, भाषण या पुस्तकानुमित्रा के आधार

पर जिस को चाहे गिरफ्तार कर के जेल में बन्द कर दिया! राष्ट्रपति जी ने कहा है कि इस कानून को भी रद्द किया जायेगा।

श्रीमती इन्दिरा गांधी ने फिरोज गांधी एक्ट को भी समाप्त कर दिया था। अधेर है! ऐसा निर्दोष और ऐसा निष्पाप कानून। दुनिया के हर लोकतांत्रिक देश में पार्लियामेंट में सदस्य और मंत्री जो भाषण करते हैं उन के प्रकाशन और प्रसारण की पूरी स्वतंत्रता होती है। इस भाषण का कानून यहाँ भी बना था। मगर कांग्रेस सरकार ने उस को भी रद्द कर दिया था। जैसा कि राष्ट्रपति जी ने कहा है, यह कानून भी फिर वापस लाया जायेगा।

राष्ट्रपति जी ने कहा है कि और भी कई कानून बनाये जायेंगे और कई काम किये जायेंगे। इस के लिए हम लोग राष्ट्रपति जी के शुक्रगुजार हैं।

अभी तक प्रतिपक्ष के नेता को सुनने का अवसर हम प्राप्त नहीं हुआ है। प्राया है कि भाषे चल कर उन के विचार जानने का अवसर हमें मिलेगा। उस दिन भाषण देते हुए भूतपूर्व वित्त मंत्री, श्री सुभद्र प्रणभ ने एमर्जेन्सी के बारे में एक शब्द भी नहीं कहा। मगर वह यह कहते कि एमर्जेन्सी का आत्मा हमारी प्रधान मंत्री श्रीमती इन्दिरा गांधी ने किया, तो मैं यह बात मान लेता। लेकिन प्ररा यह है कि न कर किया। उबने और को राउरेती का चुनावपरिणाम देश और दुनिया का मानुस हुआ और 5 बजे और को रेडिया ने कहा कि चुनाव में श्रीमती इन्दिरा गांधी को पराजय हुई और एमर्जेन्सी की भी पराजय हुई, एमर्जेन्सी खत्म हुई। उन्होंने एमर्जेन्सी का आत्मा तब किया जब एमर्जेन्सी ने उन का और बापेय राउ का भी आत्मा कर दिया। तब उन्होंने एमर्जेन्सी का या ना किया। इन का कोई श्रेय उन को नहीं दिया जा सकता है। मगर जब हमारे भूतपूर्व वित्त मंत्री बोल रहे थे तो उन बातों का

[श्री श्री ठाकुर]

जिक्र कर रहे थे। वे कह रहे थे कि बड़ी प्रगति हुई है, धन का उत्पादन बढ़ा है, औद्योगिक उत्पादन बढ़ा है, हमारे बॉलेंस ऑफ पेमेंट की पोजीशन पहले से सुदृढ़ हुई है, हमारा फारेन एक्सचेंज रिवर्र पहले से काफी बढ़ गया है, हमारा एक्सपोर्ट भी पहले से काफी बढ़ गया है, 21 प्रतिशत बढ़ गया है। ये सब उपलब्धियाँ हैं उन की जिनकी गणना वे करा रहे थे।

मैं सब से पहले धन के उत्पादन के बारे में आप से दो शब्द कहना चाहता हूँ। मेरे पास यह पाचवी योजना की पुस्तिका है जो अन्तिम रूप से प्रकाशित हुई है और साथ साथ मेरे पास पाचवी योजना का मसविदा भी है जो आज से कई वर्ष पहले प्रकाशित हुआ था। मैं इन दोनों पुस्तिका की उद्धृत नहीं करूँगा, भय समय चला जायगा। मैं संक्षेप में ही बोलूँगा। इन दोनों किताबों में कहा गया है प्रलग प्रलग कि 1973-74 में जो लक्ष्य निर्धारित किया गया था इस पंचम योजना का धन उत्पादन 11 बिलियन 12 करोड़ 90 लाख टन। यह इस में लिखा हुआ है, प्रतिपक्ष के नेता देख सकते हैं कि 12 करोड़ 90 लाख टन का निर्धारित लक्ष्य है इस ड्राफ्ट के मुताबिक 73-74 में, प्राज 76-77 में नहीं, 73-74 में और 75-76 में उत्पादन हुआ 11 करोड़ 80 लाख टन। जब तक यह फाइनल प्लान नहीं बना था तब तक यही ड्राफ्ट प्लान इन का आधार था। ता 1975-76 में उत्पादन हुआ 11 करोड़ 80 लाख टन। लक्ष्य था निर्धारित 73-74 में 12 करोड़ 90 लाख टन, यानी लगभग 13 करोड़ टन मगर 75-76 में पैदा हुआ 11 करोड़ 80 लाख टन और तब से लागू यूसी से नाच रहे हैं कि हम ने 11 करोड़ 80 लाख टन बनाज पैदा कर दिया। और इस में लिखा हुआ है कि 78-79 में यानी जो अभी बस से वित्तीय वर्ष शुरू होगा इस के बाद जो वित्तीय वर्ष आएगा उस के अंदर धन के उत्पादन का लक्ष्य इस ड्राफ्ट के मुताबिक 14 करोड़ टन है। मगर जब फाइनल प्लान

इन का बना तो 14 करोड़ टन से घटा कर साढ़े 12 करोड़ टन इसका लक्ष्य निर्धारित किया है। मैं इधर और उधर दोनों तरफ के माननीय सदस्यों को यह बतलाना चाहता हूँ कि हिन्दुस्तान की जनता के साथ कितना बड़ा धोखा किया जा रहा है, इस की समझने की हम लोग कोशिश करें। हमारे प्रति पक्ष के जो नेता हैं वे उस समय मंत्री थे, प्रधान मंत्री श्रीमती इंदिरा गांधी नहीं थी, प्रधान मंत्री थे पंडित जवाहर लाल नेहरू, 60, 61, 62 और 63 का जमाना था। उस समय प्रधान मंत्री ने कहा योजना आयोग से और श्री पीताम्बर पत से कि आप लोग आकर तैयार कर हिन्दुस्तान की जाच पड़ताल करके कि हिन्दुस्तान की जनता क कम से कम जरूर खाने की कितनी है। उन से कहा कि जाच पड़ताल कर के आकर तैयार करो कि हिन्दुस्तान में कितना बनाज चाहिए 75-76 में हिन्दुस्तान की जनता की खाने के लिए। श्री पीताम्बर पत ने और योजना आयोग ने, विशेषज्ञों ने, तमाम हिन्दुस्तान की जाच करके, पता लगा कर ने यह लक्ष्य निर्धारित किया कि 75-76 में हिन्दुस्तान की जनता को खाने के लिए 14 करोड़ 60 लाख टन बनाज चाहिए। यह 75-76 के लिए आकर 14 करोड़ 60 लाख टन का। मगर उत्पादन हुआ 75-76 में 11 करोड़ 80 लाख टन। मैं यह भी बतला दूँ कि जो बाद के विशेषज्ञ हुए उन लोगों ने कहा कि यह 14 करोड़ 60 लाख टन का जो आकर 14 करोड़ 60 लाख टन चाहिए हिन्दुस्तान की जनता को खाने के लिए वह कम है दस से तीस प्रतिशत और इस में दस से तीस प्रतिशत की वृद्धि होनी चाहिए। हम कितना बनाज पैदा करना चाहिए या हम उस से बहुत पीछे रहे 75-76 में और 78-79 में जब पाचवी पंच वर्षीय योजना पूरी हो जायेगी तब भी उस लक्ष्य से बहुत पीछे रहेंगे क्योंकि इस में साढ़े बारह करोड़ टन का ही लक्ष्य निर्धारित किया गया है। मैं प्रति पक्ष के नेता और प्रति पक्ष के माननीय

सदस्यों से जानना चाहता हूँ कि क्या हिन्दुस्तान की जनता के साथ धोखा नहीं किया जा रहा है ? या हिन्दुस्तान की जनता आज भी अनाज के मामले में पीछे नहीं जा रही है ? जनता के खाने के लिए जितना अनाज होना चाहिए क्या उसमें ह्रास नहीं हो रहा है । तो जहाँ तक अनाज का सवाल है, स्थिति इस प्रकार की है ।

जहाँ तक कपड़े का सवाल है, उसकी स्थिति भी कुछ इसी प्रकार है । मैं धाकड़ों में जाना नहीं चाहूँगा । आज दुनिया को मालूम है कि हमारे देश में कपड़े का उत्पादन लगातार घट रहा है । कपड़े की 40-45 मिलें बन्द थी । दुनिया के इतिहास में कभी ऐसा नहीं हुआ कि करोड़ों हिन्दुस्तानी जो गरीब हैं उनको अपनी लाज ढकने के लिए कपड़ा नसीब न हो और कपड़े का उत्पादन उत्तरोत्तर घटता चला जाये । इसका मतलब यह है कि प्रति हिन्दुस्तानी के पीछे जितना कपड़ा पहले उपलब्ध था उतना कपड़ा न कल उपलब्ध था और न प्राज उपलब्ध है । अब नयी जनता सरकार धन गई है तो इस स्थिति में सुधार होगा । अगर कांग्रेस सरकार ही रहती तो इस स्थिति में सुधार नहीं हो सकता था ।

उस तरफ से कहा जाता है कि देश में आर्थिक प्रगति हो रही है । इस मौके पर मुझे एक अंग्रेज कवि की बात याद आ रही है । उसकी अंग्रेजी कविता तो मुझे याद नहीं है लेकिन उसका जो अर्थ था वह मुझे याद है । एक अंग्रेज कवि ने एक महासमुद्र के सामने देखा कि उसमें लहरें और तरंगें उठ रही हैं तो उसने कहा ऐ समुद्र तूने क्या स्थल पर जो लहरें और तरंगें उठ रही हैं और जो यह गर्जन हो रहा है वह सब बेकार है क्योंकि तूने पैट में बड़ी मछलियाँ छोटी मछलियों को निगल रही हैं । जब तक तुम्हारे पैट में यह प्रत्याय

चलता रहेगा तब तक तुम्हारा गर्जन और यह लहरें तरंगें सभी बेकार हैं । उसी प्रकार से भूतपूर्व सरकार और आज प्रतिपक्ष के नेताओं तथा सदस्यों का गर्जन तर्जन सभी बेकार है जब तक उनको यह अहसास नहीं होता कि हिन्दुस्तान की जनता जितनी पहले गरीब थी उससे आज ज्यादा गरीब हुई है और उत्तरोत्तर गरीब हो रही है । पहले हिन्दुस्तान में जितने बेकार थे उनकी संख्या में निरन्तर बढ़ती चली गई है । हिन्दुस्तान के बिड़ानों, अर्थ-स्तित्तियों ने कहा है कि पहले यदि गरीबी की रेखा के नीचे जिन्दा रहने वालों की तादाद 40 फीसदी थी तो आज वह संख्या बढ़ते बढ़ते 66 फीसदी तक पहुँच गई है । बिहार में मुख्य मंत्री तथा वित्त मंत्री ने बतलाया कि बिहार में गरीबी की रेखा के नीचे जीने वालों की तादाद 73 प्रतिशत है । बंगाल में भी ऐसे लोगों की संख्या 73-74 प्रतिशत है । जब इस प्रकार से गरीबी की संख्या बढ़ती जाये तब भी कहा जाता है कि आर्थिक प्रगति हो रही है । इस देश में बेकारों की संख्या बढ़ती जाये तब भी उधर से कहा जाता है कि देश में आर्थिक प्रगति हो रही है ।

बेकारी के बारे में आप स्वयं सरकार के धाकड़े देखें तो आप को पता चलेगा कि भारत के एम्प्लायमेंट एक्स्पर्ट्स ने 1 जुलाई, 1975 को जिन लोगों के नाम रजिस्टर्ड थे उन की संख्या 87 लाख थी जोकि एक साल बाद यानी 1 जुलाई, 1976 को बढ़कर 97 लाख हो गई । यदि आज के धाकड़ों को देखा जाये तो उनकी संख्या एक करोड़ पाँच लाख होगी । मैं प्रतिपक्ष के नेताओं और माननीय सदस्यों से कहना चाहता हूँ कि सन 1971 की जो मॅमस रिपोर्ट है उस में कहा गया है कि 61-71 के दस वर्षों के दस सालों में लेबर फॉर्स 4 करोड़ 20 लाख बढ़ गई । इनमें 1 करोड़ 5 लाख लोगों को पान मिला और बाकी करोड़ों लोग बेकार रह गये ।

[श्री वरूरी ठा' ६७]

घर घर 71 से 77 की जनगणना हो तो नतीजे मोर भी भयकर निकसने। मैं माननीय वित्त मंत्री जो ये विवेकन कहना कि हिन्दुस्तान में जो बेकारा की संख्या है उस की सही सही जांच होनी चाहिये। मेरा ख्याल है इस देश के 60 करोड़ लोगों में पांच वा एक परिवार मान तो 12 करोड़ परिवार हुए जिसमें हर परिवार में एक व्यक्ति बेकार है। इस प्रकार से पांच देश में 12 करोड़ लोग बेकार है।

आज एक भयकर परिस्थिति हमारे देश के सामने है। गरीबी बढ़ती गई, बे रोजगारी गई इतना ही नहीं, समाजवाद के नारे के बावजूद गैर-बराबरी भी बढ़ती गई। मैं इस समय घाकड़े नहीं देना चाहता हूँ लेकिन समय घाने पर घाकड़े देकर साबित करना। बहुत से लोग इस को साबित कर चुके हैं कि प्रादिक गैर-बराबरी बारी गई। लेकिन उस के बावजूद भी इन्होंने कहा कि हमारे देश की प्रादिक प्रगति हो रही है, हम तरक्की की तरफ जा रहे हैं।

अध्यक्ष महोदय, मैं ऐसा एनक्तिवे कहना चाहता हूँ—हमारे राष्ट्रपति जो ने अपने अभिभाषण में खन कहा है कि हमारी सरकार की स्थापना हुए अभी तीन ही दिन हुए हैं। हम को समय नहीं मिला है। अब हम का समय मिलेगा और हम समय निकाल कर एक योजना तैयार करेंगे कार्यक्रम तैयार करेंगे और तब हम देश को बतलायेंगे कि हम किस आधार पर देश का नव-निर्माण करना चाहते हैं। मगर एक बात साबित हो गई है कि आर्थिक लाभ की चाहे जितनी प्रशंसा की गई है, जनता को कहा गया है कि हम बहुत ऊँचे उठ गये हैं—परन्तु जनता ने अपनी उस बात को नहीं माना। आपने एमर्जेन्सी

वा चाहे जितना बर्तान किया हो, पाँच लोगों की कीर्तन मंडलों ने इनमेंनी वा चाहे जितना कीर्तन किया है जनता ने उस को मानने से इन्कार कर दिया।

अध्यक्ष महोदय, कविवर दिनकर ने जो बात कियी है—यह सब साबित हुई है—उन्होंने लिखा है—

व्यक्ति, वन या दन विनोप का देश गुलाम नहीं है,

उस की ही इच्छा जनता की गुह्यागाम नहीं है।

छत्ता एक धराहर—जनता जब चाहे तब ले ले,

दपने पावन बृम्भन ने जिस को चाहे वह ले ले।

अध्यक्ष महोदय, इनका समाजवाद का नारा जितना खोशना है, मैं किसी एक घाकड़े से साबित करना चाहता हूँ। मैं उस दिन काठमाण्डू में था और प्रधान मंत्री का प्राइमास्ट मून रहा था। वीस मंत्री कार्यक्रम के बारे में प्रधान मंत्री ने कहा था—जहाँ तक जमीन के बंटवारे का बवाल है एक साल के अन्दर जितनी प्रतिरिस्त भूमि है, प्राशिन जमीन है, सरपलस लैंड है, एक एक इन भूमि का बंटवारा एक साल के अन्दर हो जायेगा। मगर आज क्या स्थिति है? मैंने बल वृषि विभाग से घाकड़े इकट्ठे करने का प्रयास किया—मेरे पास ये 31 जनवरी 1977 के घाकड़े हैं—ये मेरे मजल घाकड़े नहीं हैं, इस सरकार के, हमारे प्रतिपक्ष के नेता, जो उस समय विदेश मंत्री थे, उन की सरकार के घाकड़े हैं। इन घाकड़ों में यह बतलाया गया—यह साग्न मूने इस समय मिल नहीं रहा है—समय 34 लाख कुछ हजार एकड़ भूमि अर्जित भूमि के रूप में प्रापित हुई जिनमें से 13 लाख कुछ हजार एकड़ भूमि अर्जित की गई, सरकार ने अपने कब्जे में ली। इस में से 11 लाख

कुछ हजार एकड़ भूमि का बटवारा हुआ। लेकिन उस से लाभान्वित हुए — केवल 7 लाख कुछ हजार लोग। मैं सही आँवड़े बागज खोज कर दे दूँगा। मैंने यह भी पता लगाने का प्रयास किया कि सरकार के आँवड़ों के मुताबिक हमारे देश में भूमिहीन लोग कितने हैं, तो मुझे तो बतलाया गया कि 3 करोड़ 46 लाख लोग भूमिहीन हैं। अब आप देखिये 3 करोड़ 46 लाख या शायद 4 करोड़ 56 लाख भूमिहीन लोग म से कुल 7 लाख कुछ हजार लोग को भूमि दी गई — यानि यह दाल में नमक के बराबर भी नहीं है समुद्र की एक बूद के बराबर भी नहीं है। मगर इन्होंने यही कहा कि हमने समाजवाद ला दिया है हम ने जमीन का बड़े पैमाने पर बटवारा कर दिया है।

दुनिया को मालूम है कि जमीन के बटवारे का नारा जब इन लोग ने शुरू किया तब जमीन बटन के लिये बची नहीं थी और अगर बची भी थी तो बहुत कम बची थी। हम न जमीन बांटने के लिये सन् 1948 में 1949 में 1950 में 1951 में, और 1952 में बड़े बड़े प्रदर्शन किये थे, सम्मेलन किये थे और प्रस्ताव पारित किये थे। जमीन बांटने के लिये हमने सत्याग्रह किया था और जेल गये थे। इन्होंने जमीन बांटने की बात तब सोची जबकि जमीन बांटने का लिये नहीं बचा। इस तरह स लोगो को जमीन नहीं मिली और न मिलने वाली ही थी क्योंकि कांग्रेस पाट जैसे है, कांग्रेस पार्टी का जैसा ढाँचा है, इस के नेता जैसे लोग हैं, उन से जमीन गरीब लोग म बांटन की आशा नहीं की जा सकती थी। जमीन बांटने का नाम पर लोगों को धोखा दिया गया था।

आप की घड़ी बज गई है, इसलिये मैं और अधिक समय नहीं लेना चाहता लेकिन इतना कहना चाहता हूँ कि इन लोगो से समाजवाद नहीं लाया जा सकता था। हमारे दल ने जो घोषणाएँ प्रकाशित किया है उसमें हम ने कहा है कि हम गांधीवाद पर चलेगें, महात्मा गांधी जो हमारे प्रेरणाभूत हैं और हम लोकतन्त्र और समाजवाद का निर्माण करेंगे और आगे आने वाले दिनों में यह साबित करेंगे कि जहाँ इनका समाजवाद नकली था, वहाँ हमारा समाजवाद असली समाजवाद होगा और यह साबित करेंगे कि जहाँ इन का समाजवाद रेडियो वाला, आकाशवाणी वाला था, आसमानों का, वहाँ हमारा समाजवाद धरती वाला होगा जमीन वाला होगा और जहाँ इन का समाजवाद काजी था वहाँ हमारा समाजवाद वास्तविक होगा। यह हम आगे आने वाले दिनों में दिखा देंगे।

इन प्रश्नों के साथ मैं धर्मवाद प्रस्ताव पेश करता हुआ अपने भाषण को समाप्त करता हूँ और अपना स्थान ग्रहण करता हूँ।

SHRI K. S. HEGDE (Bangalore South) Mr Speaker, Sir, I have great pleasure in seconding the motion moved so admirably by my esteemed friend, Shri Karpoori Thakur. The last election was unlike the earlier elections. It was a second freedom struggle. It was a struggle to establish the freedom lost during the twenty months prior to the elections.

Sir everyone of us knows that everyone of our freedom was taken away by the then government and the then ruling party. On the 25th June, 1975 without any reason whatsoever an emergency was declared by the then government.

[Shri K. S. Hegde]

Mr Speaker, Sir we have now been told that the emergency when it was declared had not been approved by the Council of Ministers as required by the Constitution. An emergency can be declared only when there is a threat to the security of the country either by external aggression or internal disturbance. It is for all of us to consider whether there was any threat to the security of the country on the 25th June 1975. If there was any threat that threat was to the office of an individual. There was absolutely no threat to the security of the country. Small questions of law and order are now being considered as threat to the security of the country. On 25th June—you remember Mr Speaker—what had happened was that the Supreme Court of India refused to grant an unconditional stay to the then Prime Minister in her election appeal. There was a demand that she should step down at least for the time being till the case was decided by the Supreme Court. It was at that point of time that Mrs Gandhi and Mr Sidhartha Shankar Ray—who was not a member of the Central Cabinet then—the Chief Minister of West Bengal went at midnight to the President and asked the President to declare emergency. It was a strange phenomenon. You know, Mr Speaker—as you have been a member of the Central cabinet—that no important decision can be taken by the Prime Minister alone. But more than that, no outsider could take part in taking a decision which ought to be taken by the Council of Ministers. Such an important decision as to declare an internal emergency was taken by the Prime Minister in consultation with an authority which has nothing to do with the discharge of constitutional responsibility. The Chief Minister of West Bengal was not a member of the Council of Ministers. It was he who appears to have advised the Prime Minister to declare emergency to save herself. Now this declaration of emergency appears to have been placed before the Council

of Ministers on the next morning. It is very strange that very eminent members who are members of the Council of Ministers nodded their heads in approval. I did not expect an experienced administrator like Mr Chavan to support such a move (interrupted). The Council of Ministers did not raise even a little finger when the freedom of the country was destroyed by one stroke. What did they do? Immediately after the declaration of internal emergency an order was passed by the President under Article 352 of the Constitution saying that no one shall move the court for any relief either under Article 14 or under Article 21. All the rights under Article 19 had already stood suspended in view of the external emergency declared in 1971. The external emergency declared in 1971 when Pakistan declared war on this country and the Pakistan war was over in the course of a few days. One expected that that declaration of emergency will be revoked very soon. Repeated demands were made by the Opposition to revoke the emergency, but Mrs. Gandhi and her Government were not willing to revoke the emergency. Repeatedly they went on saying. We have material before us which we are not prepared to disclose to any body to show that there was threat of external aggression. This was an entirely incorrect statement, and I don't think that there was any material before the Government to show that there was threat of external aggression. But they wanted this power to curb the liberty of the people so that once the declaration of emergency was made under Article 352, automatically all the rights under Article 19 stood suspended. That is what they wanted. They never wanted the people to enjoy the seven freedoms embodied under Article 19 of the Constitution. Now not being satisfied with that they did much more. A Notification was sought for from the President suspending the rights under Articles 14 and 21. Mr Speaker you remember what Article 21 is. Article 21 protects our life

and liberty. It is the most important Article in the Constitution. It protects our life, it protects our liberty. Now one such a declaration was made, we lost all right to life and liberty. The effect was summarised by the Attorney General in the Supreme Court. He said, 'Once a right under Article 21 was suspended, one can be shot down and killed, one can be starved and killed, and nobody can question.' This is what the Attorney-General said on behalf of the Government of India. That is what has happened. Thousands of people were arrested and detained. Today's paper reports that even the Home Ministry does not know how many people were arrested and detained. A strange phenomenon. Then the Home Minister, who probably enjoyed very little power in the Home Ministry at that time because the junior Minister was ruling, went on saying, 'Oh a small percentage of people we have detained. Nobody knows how many people were detained. Thousands of people were detained. According to our information over a lakh and fifty thousand people were detained during the course of emergency. Not a single finger was raised in protest. Members of Parliament were arrested and detained. Why? Merely because they would not agree with the ruling Party or with the Prime Minister. That is the only crime that the Members have committed. What crime Mr Chandrasekhar committed. A member of the Congress Party, a Working Committee member. What crime Mr Ram Dhan committed. He was the elected Secretary of the Congress Party? why was he detained? Did he do anything at all? Why was Dharla detained? No explanation was coming forth. They were detained merely because they did not agree with the policies of Mrs Gandhi. Whoever did not agree with Mrs Gandhi was dubbed as a traitor. Whoever helped her or said 'yes' for everything she said was considered as the greatest patriot in this country. It

is the most strange phenomenon that every single Minister of our Cabinet bowed down his head. I think history will record that the attitude of those Ministers had been a shameful one.

In no other country were the Ministers so submissive to the Prime Minister as in this country during the Emergency. Obviously they were afraid that they would themselves be arrested and put in detention. I know one Member of Parliament. He appears to have told a friend of mine when asked, 'how do you happen to support such a legislation?' That the only alternative before him was either to vote in favour of the legislation or to go to jail and he preferred to vote with the government. This is what has happened.

MR SPEAKER: The hon Member may continue after lunch.

130 hrs

The Lok Sabha adjourned for lunch
till Fourteen of the Clock

The Lok Sabha re assembled after
Lunch at three minutes past fourteen
of the Clock

[SHRI DHIRENDRA NATH BASU in the
Chair]

MOTION OF THANKS ON THE ADDRESS BY THE VICE PRESIDENT
ACTING AS PRESIDENT—Contd.

SHRI K S HEGDE: Mr Chairman, prior to the lunch break I had referred to the manner in which the Council of Ministers were functioning during the Emergency. I had mentioned the fact that instead of functioning as independent and competent representatives of the people they functioned as yes men of Mrs Gandhi. Even a major decision like the declaration of Emergency was made without even consulting them. That is not all. Many more things have been done. Many atrocities were committed and yet the Council of Ministers closed their eyes, plugged their ears and shut their mouths. They did not take any action whatsoever to protect the interests of the people of this country.

[Shri H. S. Hegde]

the judiciary and force it to obey the orders of the Government. They propounded the theory of committed judges. Have you ever heard that in a democratic country the judges of the country should be committed to the philosophy of the Government? They are undoubtedly committed to the philosophy of the Constitution. They are bound by the philosophy of the Constitution and not by the philosophy of the Government of the day. The late Mr. Kumaramangalam while propounding the theory on the floor of the House said, 'We want judges who are forward looking and who will accept our point of view.' This is the theory propounded by Mr. Kumaramangalam and obediently followed by Mr. Gokhale. What did they do? Every judge who decided any important case against the government was transferred. In my State of Karnataka, 2 very impartial and eminent judges against whom no complaints had ever been made, were transferred. What had they done? They entertained the writ petition of Mr. Advani and others. They came to the conclusion that they could entertain the petition. Those 2 judges were transferred to UP and Assam. The second gentleman who was transferred had married late. (Interruptions) For Mr. Lakkappa's benefit I will tell him what the provision of the Constitution is. When the provision was enacted in the Lok Sabha Mr. A. K. Sen gave a solemn assurance on the floor of this House that no judge would be transferred without his consent. Let us find this out from the records. Mr. Lakkappa may not know it. Mr. Lakkappa says that there is a provision in the Constitution. There are many provisions in the Constitution. They are to be implemented in a proper manner. The judge concerned had two small children; he had to go to Assam where Assamese is the regional language. I have made a proposal to the Law Minister that all those judges who had been transferred on political or extraneous considerations must be given a chance

to go back to their home States. If they had been transferred on other or proper grounds it is another matter. But if they had been transferred solely on political or extraneous grounds, they must be given a chance to go back, so that the independence of the judiciary may be maintained. The independence of the judiciary is sought to be established not for the benefit of the judges. They cannot benefit from this independence. Members of the House can increase their own salary or perquisites as we have been repeatedly doing but the judges cannot do it. Independence was given to them, so that the rights of the people may be protected. It is for that reason that their independence was provided for. A few judges have succumbed to the threats of the Government. Mr. Jethmalani has given notice of an amendment providing for the screening of the judges. I for one with all respect to Mr. Jethmalani am totally against it. I agree with him that some of the judges have tried to play politics during the Emergency. It is a different matter. But once you begin to screen judges for the sake of just a few of them, we will be repeating the same thing which Mrs. Indira Gandhi's government did. That will be demoralizing the judiciary. The independence of the judiciary is extremely important.

What about the rights of the people? All the rights have been completely taken away. The rights of the people are embodied in Articles 14, 19 and 21. We will leave other Articles to themselves. They are not that important. Article 14 provides for equality of opportunity and equality before law. Article 19 embodies the 7 well known freedoms and Article 21 provides for protecting life and liberty. These Articles were embodied in the Constitution after a great deal of deliberation. Back in 1928, the Congress party at its session in Madras, ap-

pointed a committee under the chairmanship of Pandit Motilal Nehru. That committee went into the matter and made several recommendations. Thereafter another committee appointed by all parties conference under the chairmanship of Mr Tej Bahadur Sapru went into the matter again and that committee endorsed the recommendations of the Motilal Nehru Committee. Thereafter after the Second World War during which the human rights were destroyed all over the world the United Nations appointed a Human Rights Commission under the chairmanship of Mrs Roosevelt. This Commission sat in Paris for a long time and the human rights were all listed and embodied in a Charter. India was a party to that Charter. We were one of the first subscribers to the charter. All the rights mentioned in Part III of the Constitution are taken from the U.N. Charter. Everyone of them each one of them has been taken from the United Nations Charter. Each one of them has been completely annihilated. We have no guaranteed right of equality before the law. It can be completely taken away. So also the seven freedoms under article 19 and also the freedoms under article 21. Our Constitution, as one author said, has been damaged, defaced and disfigured. And when did they do it that is most important. They were elected for a term of five years. After the term expired, they gave unto themselves another one year, and thereafter yet another one year. And during that period of grace, what did they do? They said the people had given a mandate to them back in 1971 to amend the Constitution. If there was a mandate in 1971, why did they forget it till 1976? Why were they sleeping over it? This is a question that has to be answered on the floor of the House. It is in 1976 during the period of emergency, that they amended the Constitution. Shrimati Gandhi was plain in saying "we are amending the Constitution so as to consolidate the gains of emergency". She made it absolutely clear.

Now what is it that they have done? They have enacted article 31C which empowers all legislatures both Central as well as State Legislatures to enact any law abrogating all the rights under articles 14, 19 and 31. They can make any law and all that the Legislature has to do is to make a declaration that it is to implement the Directive Principles.

It seems they are very fond of implementing the Directive Principles. Let me remind the Leader of the Opposition and the other members of the opposition that one of the Directive Principles was to give free and compulsory education to all children between the ages of 6 and 14 by 1960. Did they do it? Did the courts come in the way? Did the Fundamental Rights come in the way? Another very important Directive Principle was to devolve progressively more and more powers to the local self-governing unit. But local self-governments have been annihilated over the last ten years. No elections have been held for the local self-governments. When Shri Sheikh Abdullah wanted to hold elections they almost threatened him with satyagrah because they never believed in elections at all.

In my State the elections to cooperative societies have been made away with. Now they have filled up all those posts with the nominees of the Government. Not only that, the land tribunals have also been filled up with nominees of the Government and they were the most important election agents of the party then in power.

SHRI K. LAKHAPPA (Tumkur): We have made progressive land reforms. (Interjections)

SHRI K. S. HEGDE (Mr. Chairman): I am prepared to agree with Mr. Lakshappa that some of the points at least are very progressive and I support them. Is he satisfied now?

Shri K. S. Hegde]

But what is the worst feature of these disputes have to be settled by whom? By your henchmen, and they are invariably decided in favour of the Congressmen and their henchmen. That is the worst feature. Why do you have independent people to decide the disputes? I hope you will not dispute it when I say that most of them worked for the Congress Candidates during the last elections. There is no doubt about it. The tribunal members were doing election work and then going to the tribunal and deciding cases and then again doing election work. I am sure Shri Pai, will not deny it. I know in his constituency the tribunal members did election work.

SHRI T. A. PAI (Udipi) I know that some of them worked for you also.

SHRI K. S. HEGDE Then they would not have continued to be members at all.

SHRI T. A. PAI You have to be impartial when you make statements.

SHRI K. S. HEGDE I would say that the whole machinery has been perverted, the judicial machinery has been completely perverted.

Many of them, including my esteemed friend, Mr. Pai, for whom I have great regard,—we have worked together for a number of years told the electorate, look, all your property rights will be taken away if Janata comes to power. They were going on saying while we want to protect your property right, the Janata Party wants to take away the property right. They were saying it because in our manifesto we have said that the property right will be a statutory right and not a constitutional right, not a fundamental right. The reason is obvious. In the guise of taking away the property right, they were mostly concerned with taking away the liberties of the people. What the Janata Party has said that property right will be a statutory and not a fundamental right. I hope the hon

Members realise its legal implications. Today we have absolutely no property right at all because article 31(2) provides that any property can be taken away by Government for public purpose by paying a nominal amount. A property worth Rs. 10 lakhs or Rs. 10 crores can be taken away by the Government for public purpose for Rs. 10.

SHRI P. RAJAGOPAL KAIDU (Chittur) What in the coming a market value is to be paid.

SOME HON. MEMBERS No, no

SHRI K. S. HEGDE His information is not correct at all. Let him not dare dispute what I say. Let them first study the law and then dispute it.

Under article 31(1) you can take away any property, there is no difficulty or doubt, but the Janata Party has said let there be no excuse for taking away the other liberties of the people. We do not care for property rights, but we do care for freedom of speech, freedom of movement, freedom to practise any profession, freedom to form associations and equality before the law. This is exactly what we have said. All these rights had been taken away during the last twenty months.

Now it is our programme to re-amend the Constitution to restore it to its original position. We have a mandate from the people to restore to them the rights that they have been robbed of by a Parliament which had no power at all, which had outlived its existence, which had put people, including Members of

Parliament, in prison which had frightened Members of Parliament. It was under duress that the law was passed. It is the mandate of the people now to re-assert the Constitution and restore the balance. In this we seek, co-operation of the Opposition. I hope they will respect the mandate of the People. If they do not they are accountable to the people. If they vote against it, we will go back to the people and tell them what has been done by them. It is up to them now to decide. This is a crucial time in the history of this country. They have done a lot of damage to our Constitution, they have destroyed the rights of the people. We want to give back to the people their rights. I hope the Opposition will have the good sense to see the writing on the wall and support the move of the Government.

So far as the economic condition is concerned, our aim is not merely to profess to do something but to really do something. Back in 1971 the Congress Party, under the leadership of Mrs. Indira Gandhi, said that they would wipe out poverty in this country. The people voted for the slogan of *garibi hatao*. They did not vote for the Congress Party. Let us see what has happened during the last six years. How much of poverty has been removed and how much remains. Mrs. Indira Gandhi had the courage to say the other day that she had implemented all the promises that she had given, but may I know how much of poverty has been removed? The number of people under the poverty line has substantially increased as everybody knows. Prices have gone up enormously between 1971 and 1977. The conditions of the people are miserable. I come from a constituency which has no less than 101 slums. Everybody thinks that Bangalore is a very beautiful city, a city of gardens. When I fought the elections, I was also under the impression that it was a city of educated people and that I should not have any difficulty in getting their confidence.

Once I went to that area and found that a large area was full of slums.

(Interruptions)

It is true that I have retired. I love my retired life. I give credit to my friends who drew me back to politics.

(Interruptions)

Look at the slum conditions in Bangalore. In other places, it may be worse. People are living there in sub-human conditions. Even cattle cannot live in such places. The poor people, the weaker sections of the society are terribly suffering. Something has to be immediately done to alleviate the suffering they have gone through in this country. They believed in the promises of the Congress Party; they blindly voted for them.

The men who have been living there do not think of tomorrow because they have no education. The Congress had deliberately kept them illiterate, uneducated. They merely think of the day.

During elections, sarees were distributed, liquor flowed like water. Their workers were going in trucks carrying sarees, money and weapons. My workers seized four trucks containing these things.

(Interruptions)

I don't think my constituency was an exception. Even in other places, hundreds of cars were running day-in-day-out and spending lakhs of rupees. It had been made possible for them to do so because of the amendment to the electoral law. Now the party could spend any amount. The electoral law had not been reformed at all in spite of the repeated demands, that there should be free and fair elections. Laws, instead of being changed to make them good so that we might have proper and just elections, were amended in such a

political corruption. What happened was that, whenever a person went against the Prime Minister immediately an inquiry was started against him. I am not against it. Mrs. Vandani Salparya was removed from the Chief Ministership and within two days an inquiry was started against her. 120 Members of Parliament made a complaint against Mr. Banai Lal, and Mr. Indira Gandhi was not willing to hold an inquiry. The Public Accounts Committee in Karnataka made serious charges against Mr. Devraj Urs but she was not interested in holding an inquiry against him.

AN HON MEMBER Against Mr. Nyalungappa also

SHRI K. S. HEGDE Hold an inquiry. I am not against any inquiry. If there are charges against me or Mr. Lakkappa let an inquiry be held. I am prepared to face it. I am not saying that inquiries should be held only against one person or the other. What I am saying is that

SHRI K. LAKKAPPA Such people are in the Janta Party

SHRI K. S. HEGDE Most of those people who have been held to be corrupt or are known to be corrupt have been sent back to the Congress Party. They are not in the Janta Party at all, and they will have no place in the Janta Party.

It is necessary that the present Government should soon enact a law to control political corruption, to see that there is no political corruption. I know, corruption is not only at the political level, but it is there at other levels also. But it is not possible to tackle all of them at the same time. What is most important is to tackle the political corruption because that is the fountain source of all corruption. We are told that Emergency was proclaimed to put down smuggling. Mr. K. R. Ganesh was the first to start proceedings against smugglers and Mr. Ganesh soon lost his Finance portfolio. At any rate, we know, one smuggler made a press

statement in Delhi that for the UP elections he gave Rs. 4 crores to the Congress Party. It is well known that it is the Congress Party which sponsored the smugglers; they encouraged them; they supported them. It was only when the public opinion went against them that they tried to go against the smugglers. We would like them also to join us in enacting a law to put down smuggling effectively. But it would not be a preventive detention because he may be a smuggler or may not be a smuggler. Who knows? Who judges that? Somebody must independently go into the matter and decide. Then only will there be value for human liberty. What the Congress Government was doing was, whichever smuggler was with them he was not detained and whichever smuggler refused to be with them was detained. It is also well known that many smugglers were leading a luxurious life in the jail; they were given radios, they were allowed to remain in hospitals; they could enjoy life in full.

MR. SPEAKER The hon. Member may conclude.

SHRI K. S. HEGDE Yes Sir, I do not want to encroach on the time of the House any more. I do not want to break the rules.

SHRI VAYALAR RAVI (Chirayinkul) He made an allegation about the UP election. Mr. Bahuguna was the Chief Minister at that time.

MR. SPEAKER No, the hon. Member should not get up like this. He may sit down.

SHRI K. S. HEGDE It is very difficult to educate these people. It is a very hard task for me to educate them. I do not want to take upon myself that responsibility.

MR. SPEAKER Somebody will do it. Mr. Hegde will conclude his speech.

SHRI K. S. HEGDE Thank you for giving me the time, Sir. I close my speech.

MR. SPEAKER Motion moved.

[Mr Speaker]

That an Address be presented to the Vice President acting as President in the following terms—

That the Members of Lok Sabha assembled in this Session are deeply grateful to the Vice President acting as President for the Address which he has been pleased to deliver to both Houses of Parliament assembled together on the 28th March 1977.

I may remind hon Members that some amendments to the Motion have been circulated. If the hon Members desire to move their amendments, they may send slips to the Table within 15 minutes indicating the serial number of the amendments to be moved.

SHRI YASHWANTRAO CHAVAN
(Satara) Mr Speaker, Sir, I am rising to participate in this debate for a brief time to explain our views on the President's address, which is under discussion. Before I start discussing the document itself, I would like to give my best wishes and congratulations to the party in power particularly the Prime Minister, who happens to be an old Congressman and also a very elderly statesman of India. We are happy to see him there. When I said, I wish well to the ruling party—because they claim to be a party—I have my own doubts about this proposition, but I would come to that point a little later. But certainly I think I must give them my best wishes. They claim to be a party. I wish they were a party, but as they are claiming it, it is better to wish them well.

Now coming to the document itself, it is a very brief document and looks a light weight document, not in the physical sense but looking to the contents of the document. Certainly I do understand the argument that there was a very little time for the Government to prepare a well-reasoned document in three days time

but even then there are many experienced people in political life and administrative life sitting on the Treasury Benches and we expected a little better document, a little weighty document with a little more content. This observation, I must make as a representative of my party. They have come to take over the administration with triumphal beating of drums and I think, it was necessary for the country to know exactly what they want to do while in power in different fields. There are of course, certain indications of a few things, about which I will certainly say very briefly what we think about these.

Sir, many members discussed the significance of the election results and the pattern of the elections. Well, we have conceded that we have lost the election and the mandate has gone against the emergency. As the Mandate has gone against the emergency, we have withdrawn the emergency and I think, our country has said good-bye to the emergency for good. But at the same time I think the significance of the election was that it rejected the emergency, but it did not accept the Janta party. This is a matter of interpretation. The Janta Party, I am told has yet to come into existence on the 1st of May a very revolutionary day to take birth and I am sure, the members of the CPM would take a great pride in that and sing songs about it. I, of course do not know about the feelings of the Swatantra party.

This vote according to me, is rejection of the rigours of emergency and the emergency itself. We as Congressmen, have accepted it as we shall. We have also accepted the lesson that delegation of powers without adequate checks and controls, either to the executive or to the bureaucracy is apt to be misused and abused. This is a lesson that one needs to keep in mind and I think, this would guide the political life of India in the days to come.

चौधरी बलवीर सिंह (होशियारपुर) - भावरो
वक्ता में क्या खाक मुनसलमा होंगे ,

श्री मुहम्मद शकी कुरैशी ऐ न, करेंगे तो
एम जो भावके लॉडर को बोलने नहीं देंगे ।

SHRI YASHWANTRAO CHAVAN

I do not mind interruptions. It is all part of the parliamentary life. I am quite used to it and we should be prepared for it.

I was saying that I have my own doubts about accepting Janata Party, as one party. Though there is a wishful thinking going on both inside the House and outside the House that a two-party system is emerging. If it emerges I will be very happy about it—but, as I know the Members I can tell that for the last 3-4 days when the regular business of the House started, since then I have attended the House for a major part of the day, and I tried to discern and absorb the speeches made on the other side because I was trying to understand what the Janata Party has got for the people. I know the Members and I know who is a Socialist, who is a Marxist, who is a Swatantra and who is a Jan Sanghi and who is a Cong (O) man. We know them all. We know their respected leaders and their views and their presentation and we anticipated what they would try to do. But I was trying to know what this strange animal Janata Party is like.

SHRI SHEO NARAIN (Basti) It will take time.

SHRI YASHWANTRAO CHAVAN

I really wanted to know what exactly they are trying to forget about their past because, ultimately

AN HON MEMBER. There will be no DIR.

SHRI YASHWANTRAO CHAVAN

When I am trying to give your description, please don't get angry about

it. Certainly you have exaggerated many things. You have showered abuses on my Party and the previous Government. Naturally you should be prepared to listen something from this side as well. As a ruling Party I would advise that you should learn to absorb more of this type of things because you have to stay there. Is it not? If you want to stay there then better leave it there and accept such things.

I was trying to say that we know their respected leaders. We know them all. Now, what exactly the Janata Party can give? What exactly is Janata Party's special programme? Yesterday, Shri Kanwar Lal Gupta who is not present here now gave out the truth. I must thank him for that. He said, Previously as he went as a Jana Sangh candidate he never got more than 1 per cent of the Muslim votes but this time when he went as Janata candidate, he got 91 per cent of the Muslim votes.

AN HON MEMBER. Now he has learnt a lot. Why should you feel sorry for that?

SHRI YASHWANTRAO CHAVAN

I am not sorry, because he has not forgotten that he is a Jana Sangh man. Not only that, he has now found that Janata Party was a good vote-catching device.

SHRI MADHU LIMAYE (Banka)

He was, but he is Janata now.

SHRI YASHWANTRAO CHAVAN

This is the line of argument. I wish it were true. I was saying that this Party is nothing more than a vote-catching device. I can say that in politics there is nothing wrong in adopting vote-catching devices. Let me make it very clear. It is a very legitimate thing to do. But then say that it is so.

Hon Member Shri Karpoori Thakur this morning gave statistics as to what percentage of votes his Party got and

MARCH 31 1977

on Address by
acting as Pres de t

[Shri Yashwantrao Chavan]

what the Congress got I would certainly like to tell him that his type of percentage collection of different types of parties together without any common approach excepting the opposition to the Congress and exploitation of unfortunate situation of the emergency will not help them. The emergency was an unfortunate situation. They have expressed their views and I have expressed my views about emergency and I would like to tell my countrymen and my Party members that emergency is not a part of the tradition or ideology of the Congress. Congress has stood for democracy, for individual liberty and individual freedom. At the same time Congress has stood for social justice, economic equality and socialism.

SHRI MADHU LIMAYE I take it it was an aberration of yours

SHRI YASHWANTRAO CHAVAN If you call it aberration, well, I will not take objection

SHRI MADHU LIMAYE Thank you.

SHRI YASHWANTRAO CHAVAN But this is not part of our Congress tradition. This is not part of our Congress ideology. It arose because of certain unusual events which prevailed before the introduction of emergency. Some of the parties have made their contribution to it also. Let me ask you to take note of that also. We drifted into that situation of emergency. It is good that it is over. We have said good bye to it and good-bye for good, good bye to it forever. So I would like to make this point perfectly clear. As I said, we have learnt a lesson. You also have learnt a lesson. Don't take people for granted, comforting oneself and throwing election results at our faces in the manner in which it is being done. Is taking people too much for granted.

SHRI JYOTIRMOY BOSU (Diamond Harbour) It is a dying declaration

SHRI YASHWANTRAO CHAVAN That is the only thing you know about. I never disturbed you. The point which I am making is this: but our party has got its own ideology, its programme, it has got its coordinated policies, on the basis of which they have functioned in this country for the last thirty years. These efforts have made a major contribution in making what modern India is today. These facts cannot be denied simply by rejecting Congress. You can always raise a question about emergency. Yesterday the Finance Minister was refusing to accept certain realities. We don't say that we have done everything good. But we have done certain things to improve the economy of the country. Look at the foreign exchange position. We have proved that we have got the capacity to stop the trend of inflation which the world bodies have accepted.

THE PRIME MINISTER (SHRI MORARJI DESAI) The World Bank has wrongly accepted the manipulated claim of buoyancy of the economy which was bogus.

DR SUBRAMANIAM SWAMY (Bombay North East) Government statistics are what they are. We have expressed our doubts about the Government statistics.

SHRI YASHWANTRAO CHAVAN You will be representing India in many international conferences. Please don't do injustice to India in order to spite the Congress. Only because you do not like us, don't say world bank was bogus.

SHRI MORARJI DESAI I have not said that the World Bank is bogus. I have never said that.

SHRI YASHWANTRAO CHAVAN The World Bank has produced certain documents which you consider bogus. That means, World Bank is bogus. What else does it mean?

the nation. Our foreign policy is not a Party policy, it is a national policy and I hope we continue with that without any break. I am sure a responsible person like Shri Atal Bihari Vajpayee is in charge of the policy and because he was a member of this House and he was in politics for a longer time, I am sure he will provide that leadership and see that the foreign policy of India succeeds and makes India a stronger India in the comity of the world.

I would certainly like to say one word about the economic aspect because yesterday I found the Finance Minister and many other Members were trying to say that India has lost economically this way or that way. This is not going to help India as a nation and I would therefore request you to forget the Congress as now you have defeated it. Why the Congress is constantly on your mind. Forget about it and think about yourself first. I am giving this word of advice on the basis of experience. See to your responsibility because India's problems are complex problems, difficult problems. Merely abusing the Congress is not going to help you. Therefore, concentrate on what you can do. Merely under-estimating Congress or under-estimating the policy of the Congress is not good. You have to take India from where it is to the forward positions. If you are to do that, you must see the strength of India, you must see the weakness of India. You cannot say that all is vague, everything is lost. Then you don't know India. Certainly there are many basic stands in the foreign policy area, in the economic policy area, in the educational policy area. Regarding Science and technology, for example we have certainly got many assets to our credit. Are you going to under-estimate them? Are you going to create an image of India as if it is nothing? Please therefore forget us for the time being and think about at least India if at all you want to rule this country.

I will express some views on one paragraph that the Government have included in the Address. That was about the Constitution-making where they have advocated the theory of balance. This is the very old theory of balance, balance between people and Parliament and judiciary and individuals and people—all sorts of balance of power theory. I will certainly like to make my Party's position very clear on some of the aspects. Though we have accepted the results of the elections in a certain way which I have explained already, we have not accepted the election results as a rejection of the Forty-second Constitutional Amendment Bill. I would like to make that clear. We basically stand for the paramountcy of Parliament. If you want to under-estimate it, you do that. But we stand by that principle of Parliament's paramountcy. But at the same time I would like to say that if there are any other aspects and if you come with any specific formulations, we will certainly consider them.

श्री मधु तिमये (बारा) ध्याने ता
लोह सना के मुद् पर ताता लग्या था।
धन धाय मनद की सरोज्य ता की, सुत्रिनेनी
की, बात पर रहे है।

SHRI YASHWANTRAO CHAVAN
Forget the past. Now you are again in Parliament and I am again in Parliament. Forget the past and think about the present and future.

I was making certain clarifications. I have stated our position. But if at all there are any positions which we think in the light of the new situation are worthy of our consideration, we can always consider them with an open mind. But I would like to repeat that as far as the basic position is concerned we don't accept the election result as a rejection of the 42nd Constitutional Amendment Bill. That is very much part of our policy and we are not sorry that we placed it.

That at the end of the motion the following be added namely

but regret that in the Address there is no mention that India stands with the people of Africa who are waging a great struggle for the consolidation of their freedom and independence which is threatened by neo colonialist offensive launched by imperialism (29)

That at the end of the motion the following be added, namely

but regret that in the Address there is no mention about our continued support to the heroic people of South Africa Zambwe and Namibia who are fighting against the apartheid and racialism for their national liberation (30)

That at the end of the motion the following be added, namely

'but regret that in the Address there is no mention that India will continue to strengthen her bonds of friendship and co operation with the socialist countries. (31)

That at the end of the motion the following be added, namely

but regret that in the Address there is no mention that the Government would take steps to reduce the voting age to 18 (32)

That at the end of the motion the following be added namely

but regret that in the Address no concrete measure has been spelt out for effectively solving the problem of unemployment." (33)

That at the end of the motion the following be added, namely

but regret that in the Address there is no mention about the

recent trend of price rise and no remedy suggested (34)

That at the end of the motion the following be added namely

but regret that in the Address there is no mention about the need for a thorough reform in the field of education culture and sports. (35)

That at the end of the motion, the following be added, namely:

but regret that in the Address there is no mention about the need to de link the newspapers from the big industrial houses. (36)

That at the end of the motion the following be added, namely

but regret that in the Address there is no mention about trend of alarming growth in the assets of the big monopoly houses in India and no measures suggested to curb the growth of monopoly in Indian economy (37)

That at the end of the motion the following be added namely

'but regret that in the Address there is no mention about the need to vigorously implement land reforms (38)

That at the end of the motion the following be added, namely

but regret that in the Address there is no mention about the Twenty Point Programme and a review of its implementation' (39)

That at the end of the motion the following be added, namely

but regret that in the Address there is no assurance that those responsible for the excesses in implementing Family Planning Programme will be brought to book and punished. (40)

[Shri C K. Chandrappan]

That at the end of the motion
the following be added namely

but regret that in the Address
there is no mention about the
serious crisis in handloom indus-
try resulting in massive unem-
ployment and no remedy suggest-
ed (41)

That at the end of the motion
the following be added, namely

but regret that in the Address
there is no mention made about
the atrocities perpetrated against
Harijans and no remedy suggest-
ed." (42)

That at the end of the motion
the following be added, namely

but regret that in the Address
there is no mention about the
serious problem of brain drain
in India and its far reaching con-
sequences on our progress in
future (43)

That at the end of the motion,
the following be added namely

but regret that in the Address
there is no mention about the
crisis in traditional industries
like textiles, jute, coir, cashew
and beedi and suggested remedy
(44)

That at the end of the motion
the following be added, namely

but regret that in the Address
there is no mention about the
millions of contract labourers
who are exploited in the medie-
val fashion and no remedy sug-
gested. (45)

That at the end of the motion
the following be added namely

but regret that in the Address
there is no mention about the
problem of illiteracy and no re-
medy suggested (46)

That at the end of the motion,
the following be added, namely

but regret that in the Address
there is no mention about the
ways and means by which the
new Central Government would
improve and strengthen its rela-
tions with the State Govern-
ments (47)

That at the end of the motion
the following be added, namely

but regret that in the Address
there is no mention about the
need for the immediate scrapping
of the Compulsory Deposit Sche-
me and repayment of money to
workers. (48)

That at the end of the motion,
the following be added, namely

but regret that in the Address
there is no mention about the
speedy settlement of inter State
river water disputes especially
about the settlement of Cauvery
water dispute between Karra-
taka Kerala and Tamil Nadu." (49)

That at the end of the motion,
the following be added namely

but regret that in the Address
there is no mention about the
speedy sanctioning of all out-
standing cases of pension to free
dom fighters especially in cases
relating to Puncrapra Vayalar
struggle in former Travancore
State Telengana armed insur-
gence against Nizam of Hydera-
bad, RIN and RAF mutiny, INA
cases and Mopla Rebellion Mala-
bar (50)

That at the end of the motion,
the following be added, namely

but regret that in the Address
does not reaffirm India's support
to the struggle for rational liber-
ation and against racism" (76)

That at the end of the motion, the following be added, namely

'but regret that the Address is silent on the issue of the implementation of the decisions of the Colombo non-aligned summit' (77)

That at the end of the motion, the following be added, namely

'but regret that the Address does not reiterate India's resolve to work in cooperation with the socialist and other third world countries for the establishment of a new international economic order in the face of opposition by the USA and other Western powers' (78)

That at the end of the motion, the following be added, namely

'but regret that the Address misses the arms build up in our region by the USA including continued equipping of the military base in Diego Garcia, nor does it give call for an end to the arms race' (79)

That at the end of the motion, the following be added, namely

'but regret that the Address does not offer India's support to the Arab people in their struggle for securing the withdrawal of Israel from all occupied Arab territories in terms of the Security Council resolution of October, 1967 and of other resolutions of the Council' (80)

That at the end of the motion, the following be added, namely

'but regret that the Address does not make any demand for transforming the Indian Ocean as a peace Zone' (81)

That at the end of the motion, the following be added, namely

'but regret that the Address does not take due note of the

move of the World Bank to distort India's developmental policies by laying stress on the so-called export oriented industries" (82)

That at the end of the motion, the following be added, namely

"but regret that the Address does not indicate any solution of the problem of repayment liabilities on account of the country's heavy foreign debts" (83)

That at the end of the motion the following be added namely

'but regret that the Address does not refer to the east-west detente demanding its extension in other regions in order to make it irreversible" (84)

That at the end of the motion, the following be added, namely

"but regret that the Address does not take due note of US President Jimmy Carter's statement that the USA would deal with the developing nations case by case from the point of view of the country's interest." (85)

That at the end of the motion, the following be added, namely

'but regret that the Address does not take any pride in India's policy of peace, non-alignment and anti-imperialism which has raised the stature of the country in world affairs and at the same time brought strength to it" (86)

That at the end of the motion, the following be added, namely

'but regret that while correctly noting that the people have given a clear verdict against the emergence of 'extra-constitutional centres of power' against which the CPI and others in Parliament and outside had been repeatedly warning during the months of emergency, the Address, however, does not indicate

ing the emergency would be repealed and that the right to bonus as under the original Act would be fully restored" (52).

That at the end of the motion, the following be added, namely

"but regret that the Address does not give an assurance that the C.D.S. would be scrapped." (53)

That at the end of the motion, the following be added, namely

"but regret that the Address ignores the fact that the large number of Naxalites and other political prisoners are still in detention under MISA and otherwise in West Bengal and in other States whose unconditional release is the demand of the public." (54).

That at the end of the motion, the following be added, namely:

"but regret that the Address overlooks the fact that during the emergency altogether impermissible concessions had been given to the monopolists not only to the detriment of the national economy but also in defiance of the wider considerations of social justice" (55).

That at the end of the motion, the following be added, namely:

"but regret that the Address overlooks the demand of the working people that the concessions to the monopoly houses given during the emergency would be withdrawn." (56).

That at the end of the motion, the following be added, namely:

"but regret that the Address does not assure that the tolling peasantry will be assured remunerative prices for their produce." (57).

That at the end of the motion, the following be added, namely:

"but regret that the Address does not take note of the fact that the minimum wage and the fixed wage for agricultural labourer has not been duly implemented in many States while their implementation is of crucial importance from the point of view of national economy and social justice." (58)

That at the end of the motion, the following be added, namely:

"but regret that the Address does not assure that the problem of closures, retrenchment and lay off will be effectively tackled with a view to protecting the workers and employees." (59)

That at the end of the motion, the following be added, namely:

"but regret that the Address does not take note of the fact that Indian big business houses are exporting capital out of India while the nation needs a higher domestic saving for investment within the country." (60).

That at the end of the motion, the following be added, namely:

"but regret that the Address does not refer to the public sector nor does it give an assurance that the public sector shall be further expanded and democratised." (61).

That at the end of the motion, the following be added, namely:

"but regret that the Address does not propose any measure to effectively curb the money power in elections." (62).

That at the end of the motion, the following be added, namely:

"but regret that the Address seeks to push the idea of a Two

[Shri P K Kadiyan]

Party System for our country, which is hung but an attempt to undermine the role of the working people through their left hand democratic parties, in the affairs of the nation (63)

That at the end of the motion the following be added, namely

"but regret that the Address distorts the results of the election in order to foist upon the country discredited bipartisanship of the US brand on our country" (64)

That at the end of the motion the following be added, namely

"but regret that the Address while declaring that India will follow a path of genuine non-alignment does not specifically reaffirm that the policy of peace, anti imperialism anti-colonialism and anti-racism will be unwaveringly pursued." (65)

That at the end of the motion, the following be added namely

"but regret that the Address does not promise that the minimum pension to the freedom fighters will be increased which has been a long standing demand of the freedom fighters and the public." (66)

That at the end of the motion, the following be added, namely

"but regret that the Address does not assure that self-reliance and attainment of economic independence shall be the main direction of the national economic development. (67)

That at the end of the motion, the following be added, namely

"but regret that the Address does not take any note of the increasing infiltration and exploitation by multi-nationals in our country" (68)

That at the end of the motion, the following be added namely

but regret that the Address does not contain any assurance regarding steps against atrocities being committed against Harijans in several parts of the country' (69)

That at the end of the motion, the following be added, namely

"but regret that the Address does not give any assurance to implement the revised minimum wages for agricultural workers" (70)

That at the end of the motion, the following be added, namely

but regret that the Address does not refer to the urgency of implementing land ceiling laws." (71)

That at the end of the motion, the following be added, namely

"but regret that the Address does not make any reference to the grave unemployment problem in the country" (72)

That at the end of the motion, the following be added namely

"but regret that the Address does not refer to the problem of distribution of free house sites to landless people in the rural areas" (73)

That at the end of the motion the following be added, namely

"but regret that the Address does not give any assurance to implement debt relief measures for agricultural workers, Harijans, Adivasis and poor peasants." (74)

That at the end of the motion, the following be added, namely

but regret that the Address does not mention the need to repeal the Act negating the LIC Bonus agreement." (75)

SHRI N SREEKANTAN NAIR
(Quilon) I beg to move

That at the end of the motion,
the following be added, namely

'but regret that no mention
has been made in the Address to
restore the right of the workers
to get bonus of 8 1/3 per cent as
deferred wage' (102)

That at the end of the motion, the
following be added, namely

but regret that no mention has
been made in the Address for
solving the problems of unem-
p'oment and of bringing down
the price jine" (103)

SHRI VAYALAR RAVI (Chirayin-
kul) I beg to move

That at the end of the motion,
the following be added, namely

'but regret that there is no
mention in the Address regarding
the withdrawal of the Compul-
sory Deposit Scheme." (180)

That at the end of the motion,
the following be added, namely

'but regret that the Address
has not given any assurance to
amend the Bonus Act to declare
the bonus as a deferred wage"
(161)

That at the end of the motion,
the following be added, namely

"but regret that the Address
has not made any specific propo-
sal for the overall development
of the backward areas of the
country especially the southern
part of the country" (162)

श्री जगदीश प्रसाद सायूर (सीकर)

अध्यक्ष महोदय, विपक्ष के नेता ने यह बात
जानने में अपनी प्रसमर्थता प्रकट की है कि
जनता पार्टी क्या है। उन्होंने कहा है कि
जनता किस प्रकार का जानवर है।

What sort of animal the Janata
Party is?

यह चव्हाण साहब ने कहा है
लेकिन मैं उन को यह बात देना चाहता हूँ
कि इस सब में मुझे होली के इतिहास की
घटना याद आती है क्योंकि होली के बाद
ही हमारे यहाँ चुनाव हुए थे। आप को याद
होगा कि किस प्रकार से हिरण्यकश्यप ने
जनता के ऊपर भत्याचार किए थे। उस
राक्षस ने कह रखा था कि मेरे राज्य में राम
का नाम नहीं ले सकते, मेरे राज्य के भन्दर
सत्य नहीं बोल सकते। तो उस राक्षस को
समाप्त करने के लिए नरसिंह ने भवतार
लिया था और नरसिंह भवतार ने किस
प्रकार से उस राक्षस को मारा, यह चव्हाण
साहब जानते हैं। उसी तरह से नरसिंह भवतार
के रूप में जनता पार्टी का जन्म हुआ है।
उन लोगों को समाप्त करने के लिए जिन्होंने
19 महीनों के भन्दर अपने पलायन किसी की
जय नहीं बोलने दी और यह कहा कि इन्दिरा
गांधी ही हिन्दुस्तान है और इन्दिरा गांधी के
पलायन हिन्दुस्तान में कुछ नहीं है। मैं यह
बात इसलिए कह रहा हूँ क्योंकि चव्हाण
साहब ने जनता पार्टी के लिए कहा है कि यह
किस प्रकार का जानवर है। मैं आप को समझा
रहा हूँ कि जनता पार्टी क्या है। हिरण्यकश्यप
के कुशासन को समाप्त करने के लिए जिस
प्रकार से नरसिंह का भवतार हुआ था, उसी
प्रकार में जनता पार्टी का जन्म कांग्रेस के
कुशासन को समाप्त करने के लिए जैसा मैं
हुआ है।

अध्यक्ष महोदय, चव्हाण साहब ने यह
भी कहा है कि यह जो डॉक्यूमेंट है, यह बड़ा
साइट डॉक्यूमेंट है लेकिन आप यह जानने

[श्री जगदीश प्रसाद माथुर]

है कि वडे वडे हेवी वेट-लिफ्टर्स को साइट-वेट लिफ्टर्स ने पछाड़ दिया है। इसलिए साइट-वेट डाक्यूमेंट हाथ हुए भी, जनता पार्टी की ओर से, जनता पार्टी की सरकार की ओर से सक्षिप्त रूप में यह एक बहुत अच्छा डाक्यूमेंट है। राष्ट्रपति जी ने यह कहा है कि केवल तीन दिन हमारी सरकार की बने हुए हैं और तीन दिन के अन्दर हम ने जो कुछ भी सोचा है, वह इस डाक्यूमेंट के अन्दर दिया है। अगर अच्छा साहज गंभीरता से इस का अध्ययन करते तो उन की पता लग जाता कि किस दिशा की ओर हमारी सरकार जाने वाली है। हमारी सरकार ने उन की ओर भी मित्रता का हाथ बढ़ाया है।

जहां तक चुनाव का सम्बन्ध है, यह चुनाव कोई किसी नेता ने नहीं जीता है और न किसी उम्मीदवार ने इस चुनाव को जीता है। यह चुनाव तो जनता ने जीता है और उस ने बता दिया है कि क्या दिशा देश को देनी चाहिए। कांग्रेस पार्टी को हरा कर दुनिया के इतिहास में एक मिसाल जनता ने काम की है और जनता ने 25 जून, 1975 की वाली रात के दिन प्रधान मंत्री इन्दिरा गांधी ने जो हिन्दुस्तान के प्रथम गणतन्त्र की जो हत्या की थी, उस के स्थान पर 24 मार्च 1977 के दिन श्री मुरारजी देसाई की प्रधान मंत्री बना कर एक नए गणतन्त्र की स्थापना की है और इस की जिम्मेदारी उन पर डाली है कि वे इस देश के पुनर्निर्माण के काम को धागे बढ़ाएं। अच्छा साहज इस दश के बहुत पुराने, जाने पहचाने नेता हैं। पता नहीं अब भी वे क्यों 42 वें असेम्बली पर अड़े

हुए हैं? यह अड़े रहने का धमकर नहीं है। जहाँ तो पार्लियामेंट की सुप्रीमसी का प्रश्न है, हम भी उसका पक्ष में हैं। हम नहीं चाहते कि वह न रहे। हम चाहते हैं कि जनता पार्टी और कांग्रेस पार्टी दोनों मिल कर, आपस में एक साथ बैठ कर इस मामले पर बातचीत करें। असेम्बली के दौरान जो कुछ भी घण्टाय हुआ है उसको हम सब 7। गमान्त करना है। चाहे, हम और आप भारत के गणतन्त्र में नए घण्टाय की प्रारम्भ करें। हमारे प्रधान मंत्री इस दश में प्रजातन्त्र की परंपराओं को फिर से स्थापित करना चाहते हैं और हमें वे विरोधी पक्ष का नेता के सहयोग की अपेक्षा करते हैं। हम पुरानी माना की भूतना चाहते हैं। लेकिन इसका साथ ही हम एक नए घण्टाय का भी प्रारम्भ करना चाहेंगे। अगर हम इस 42वें संविधान संशोधन पर अट रहे तो बहुत सारी बातें छुलेगी जो कि हम नहीं चाहते। हम चाहते हैं कि देश के अन्दर नए घण्टाय का प्रारम्भ हो और इसको प्रारम्भ करने में जनता पार्टी और विरोधी पक्ष दोनों सहयोग करें।

आपने जनता पार्टी के गठन के बारे में भी कहा। हम स्वयं स्वीकार करते हैं कि अभी इसका पूरी तरह से गठन होना है। आप ही ने इसे पूरी तरह बनने का मौका नहीं दिया। हम जला में रहे। जलो में रह कर हमारे नेता कैसे इस पार्टी का पूरी तरह से गठन कर सकते थे? जो हमारे नेता बाहर थे, उन्हें जितना अवसर मिला, उतना उन्होंने किया। आपने तो हमें मौका ही नहीं दिया कि जनता पार्टी का निर्माण कर सकें। चुनाव की घोषणा के बाद जितनी जल्दी हमको अवसर मिला, हम एक पार्टी के रूप में आपके सामने आए। चुनाव समाप्त होने के पश्चात्

हम आपके सामने सदन में आए। अब सदन का अगला जो अधिवेशन होगा, उससे पहले हम एक ही कर आपके सामने आएँ। इस बात की हमारे महामंत्री ने घोषणा की है। अगले सदन की बैठक होने तक हम विधिवत् एक ही जाएंगे। आपके कारण ही प्रजातन्त्र का स्वस्थ विकास नहीं हो सका। इसके दोषी आप ही हैं। जिस तरह से आप लोग ने पाछे हम लोगों के खिलाफ आरोप लगाए लेकिन उन सब आरोपों के बावजूद आज हम एक हैं। आपने जो आरोप लगाए, उनका उत्तर मैं नहीं दूंगा, उनका उत्तर जनता ने आपको दे दिया है।

हमारे प्रधान मंत्री जी की कि आज देश का नेतृत्व कर रहे हैं वे इस देश के अन्दर एमर्जेंसी के दौरान जो कुछ भी हुआ और बहुत सारी शिकायतें सामने आईं जिनकी चर्चा इस सदन में भी हुई, उन सब की देखेंगे। अभी कल रेलवे मंत्री जी ने घोषणा की कि जो कर्मचारी हड़ताल के अन्दर हटाए गए वे उन्हें वापस लिया जाएगा। लेकिन इनके अलावा बहुत से ऐसे कर्मचारी हैं जो कि एमर्जेंसी के दौरान गवर्नमट के विभिन्न डिपार्टमेंट्स से कम्पलसरेली रिटायर कर दिये गए। उनमें से बहुत ऐसे हैं जिनकी सेवाएं पूरी नहीं हुई थीं। किसी का दस वर्ष का सेवा काल रह गया था किसी का पन्द्रह वर्ष का सेवा काल रह गया था। इन कर्मचारियों को एमर्जेंसी के दौरान एन्टी गवर्नमट सीनियर का आच लगा कर सेवाओं से हटा दिया गया। ऐसे हजारों कर्मचारी हैं जिनको सेवाओं से भुक्त किया गया। अध्यक्ष महोदय, मैं आपके माध्यम से धन्य करता चाहता हूँ कि इन कर्मचारियों के मामला पर भी सरकार विचार करे। जिन कर्मचारियों को कम्पलसरेली रिटायर किया गया है उनको बिना शर्त काम पर वापस लिया जाना चाहिए।

इस एमर्जेंसी के दौरान एक और भी वर्ग बहुत प्रभावित हुआ। वह वर्ग है किसान न।

इसके कारण हमारे देश के अन्दर जितना कृषि का उत्पादन होना चाहिए था उतना नहीं हुआ। मेरी ऐसी मान्यता है कि अगर यह वर्ग प्रभावित न हुआ होता तो हमारा कृषि का उत्पादन बहुत अधिक हुआ होता। मैं इस अभिभाषण में किसानों के लिए कोई बात नहीं देखता हूँ। अध्यक्ष महोदय, मैं आपके माध्यम से प्रार्थना करता हूँ कि आने वाले बजट में इस वर्ग की समस्याओं का पूरा ध्यान रख कर किसानों के लिए कुछ व्यवस्था की जाए। यह कहा जा सकता है कि चूंकि कृषि विभिन्न राज्य सरकारों का विषय है इसलिए इसे हम डायरेक्टली डील नहीं कर सकते। मैं आपके ध्यान में यह लाना चाहता हूँ कि आज किसान बिजली के नैक्शन बढ़ाने के लिए तैयार हैं क्योंकि उनको प्रोफिट नहीं हो रहा है। एमर्जेंसी के दौरान बिजली का रेट 13 पैसे से बढ़ा कर 30 पैसे कर दिये गये। उन पर 17 पैसे का भार डाला गया। यह सब एमर्जेंसी के दौरान हुआ और इस बारे में किसान कुछ नहीं बोल सका। हम कृषि को प्राथमिकता देनी है और कृषि का उत्पादन बढ़ाना है। इसके लिए हम किसानों की समस्याओं पर ध्यान देना होगा। एमर्जेंसी के दौरान किसानों पर जितना भार डाला गया है उसके बारे में हम सोचें कि किस प्रकार से हम विभिन्न प्रांतीय सरकारों से किसानों को रिलीफ देना सकते हैं। किस प्रकार से किसानों को उसकी उपज का पूरा भाग मिल सके यह आपको देखना चाहिये। एग्जिक्यूटिव प्राइम कमिशन बीमती के बारे में कुछ सिफारिशें हर साल करता है। पिछले साल से किसानों को 105 रुपये का रेट गेहूँ का मिला है और 136 रुपये में सरसार ने उसको बेचा है। इस में सरसार को कुछ फायदा नहीं होता है। विशेष तौर से एमर्जेंसी में खाद के दाम केन्द्रीय सरसार ने कुछ घटा दिए थे। लेकिन बेचन उसका काम नहीं चल सकता है। आप न। किसानों को रिलीफ देना पड़ेगा। अगर आपने ऐसा किया तो जो सक्षम अगले वर्षों के अन्दर कृषि के उत्पादन के आप प्राप्ति करना चाहते हैं वे

[श्री जगदीश प्रसाद मावुर]

लक्ष्य प्राप्त हो सकते हैं। नया बजट बनने वाला है। उस में यह एक जो मुख्य समस्या है इसकी ओर आपको ध्यान देना चाहिये और इसका कोई निदान ढूँढना चाहिये।

बेरोजगारी के बारे में अब मैं कुछ कहना चाहता हूँ। इस धन्यवाद प्रस्ताव के प्रस्तावक महोदय ने इस समस्या पर काफी प्रकाश डाला है। पिछली कांग्रेस सरकार ने एक नया तरीका निकाला था। उसने पिछले कुछ वर्षों से बेरोजगारों के आकड़े देना बन्द कर दिया था। शायद यह अपनी कमजोरी को छिपाने के लिए उसने किया था। मैं चाहता हूँ कि जो वस्तु स्थिति है उसको भाग स्पष्ट कर। यह सरकार केवल एम्प्लायमेंट एक्सचेंज में जो लोग अपने नाम लिखात थे उन्हीं के आकड़े देती है। लेकिन देश में बहुत से ऐसे लोग भी हैं शिक्षित और प्रशिक्षित जो नाम नहीं लिखात। गांधी से बहुत बड़ी सख्या में बेरोजगार लोग हैं। उनका कोई आकड़ा नहीं मिल रहा है। मैं निवेदन करना चाहता हूँ कि जो वास्तविक बिज है, वास्तविक स्थिति है चाहे वह पिछली सरकार की कमजोरी के कारण हो या किसी दूसरे कारण से वह सामने आनी चाहिये। जिस चीज को पिछली कांग्रेस सरकार ने देश से छिपाया है हमारी सरकार को—चाहिये कि वह उसको प्रकाश में लाए। यह पता लगना चाहिये कि हम नौ जितना बँकलाप मिला है, कितने बेरोजगार लोग हैं जिन को हमने खपाना, है जितने बेरोजगारों के लिए रोजगार की व्यवस्था करनी है।

आप शिक्षा के सवाल को लें। हमेशा माग की जाती रही है कि शिक्षा प्रणाली में आमूलभूत परिवर्तन होना चाहिये। नई सरकार से मध्य निवेदन है गांधी के स्तर से यह परिवर्तन होना चाहिये और शिक्षा प्रणाली को जाय एरिएटिड बनाया जाना चाहिये, इस प्रकार की हमारी शिक्षा प्रणाली होना चाहिये जो सैल्फ एम्प्लायमेंट में प्रवर्तन प्रदान

करे। हर गांव का आदमी शहर की ओर भागता हुआ न चला आए। बल्कि हमारी शिक्षा प्रणाली न बनाए। हम अंग्रेजों की बुराई किया करते थे कि वे बल्कि ही शिक्षा प्रणाली से बनान का काम किया करते थे। हमारे कांग्रेस के नेताओं ने अंग्रेजों को ही नकल की ओर उसी शिक्षा प्रणाली को देश में जारी रखा और सिवाय बल्कि पैदा करने के और कुछ नहीं किया। यह शिक्षा प्रणाली जो केवल बल्कि और चमचे पैदा करती है हम में आपको आमूलभूत परिवर्तन करने चाहिये। इस प्रकार की शिक्षा प्रणाली आप लागू करें ताकि लोगों को स्वयं रोजगार में प्रवर्तन मिल सके, गांधी में ही मैं प्रसार उनको उपलब्ध हो सकें, और गांधी में जो बेकारी व्याप्त है वह दूर हो सके और हमारी प्रामाण्य अर्थ व्यवस्था सुधर सके।

जिस दिन हमारे नेताओं ने पद ग्रहण किया था, पद ग्रहण से पूर्व शपथ ली थी उस दिन हम लाग गांधी जी की समाधि पर गए थे और वह जा कर हमने उनके सिद्धान्तों पर चलने की शपथ ली थी। गांधी जी विवेन्द्रित अर्थ व्यवस्था के पक्षपाती थे। मैं चाहता हूँ कि विवेन्द्रित अर्थ व्यवस्था के आधार पर हम गांधी के अन्दर रोजगार उपलब्ध कर सकें, इस प्रकार की शिक्षा प्रणाली हमारी होनी चाहिए। आप जो योजना को नया रूप देने जा रहे हैं मैं समझता हूँ कि उसकी यही आधार होना चाहिये। नया बजट भी आप बनाने वाले हैं। उस में मेरी आप से माग है कि इस आधार पर आप शिक्षा नीति को पुन निर्धारित करें ताकि जो कुछ पिछले सालों में और पिछले दिनों में देश में हुआ है वह उस प्रकार से न हो सके।

हैण्डे साहब न कुछ मामलों की जांच करवान की माग की है। देश में जो वातावरण पिछले दिनों रहा है जिस प्रकार की व्यवस्था देश में पिछले दिनों में चली है उसको आपको देखना पड़ेगा और उसका जो रिपोर्ट

है वह आपसों ठीक करना पड़ेगा । मैं हेगडे साहब की इन बात का विशेष तौर पर समर्थन करता हूँ कि जिन लोगों के विरुद्ध आरोपपत्र हैं जैसे हरियाणा के भूतपूर्व मुख्य मंत्री श्री बसो लाल उनकी जाच की व्यवस्था की जानी चाहिये । बेवस प्रधान मंत्री ने कोई चीज तक तय कर दी और कह दिया कि उनके खिलाफ जाच नहीं होनी चाहिये तो यह उचित नहीं है । इसी प्रकार के राजस्थान के मुख्य मंत्री के खिलाफ भी आरोपपत्र है और पहले जो मुख्य मंत्री रह चुके हैं जिन का नाम मैं लेना नहीं चाहता हूँ क्योंकि सदन की परम्परा ऐसी है, उनके खिलाफ भी जो आरोपपत्र हैं, उनकी जाच की व्यवस्था होनी चाहिये । चाहे कोई किसी पद पर हो अगर उसके खिलाफ आरोप हैं तो उनकी जाच करवाई जानी चाहिये जो काठ देश में चर्चा के विषय है जिन की पिछले दिनों काफी चर्चा चली है जैसे मादलिन काठ उसकी भी जाच की विशेष व्यवस्था होनी चाहिये । जो दोषी है, जिन्होंने घरो घरो का दुरुपयोग किया है उन को जाच होनी चाहिये । चन्दाण साहब जो गृह मंत्री रह चुके हैं कभी उन्होंने कोई कमाण्ड बिठा दिया अपने विपक्षियों के खिलाफ वही काफी नहीं है । चन्दाण साहब स्वयं अब कहें कि आज अगर कहीं कोई शिकायत है किसी के खिलाफ तो जाच होनी चाहिये । कुछ बातों के बारे में तो जनता ने अपना फैसला दे दिया है और कुछ बातें और हैं जिन के बारे में हम फैसला करना होगा । मेरी पार्टी का कोई हो या उनकी पार्टी का, किसी भी पार्टी का सदस्य हो अगर उसके खिलाफ शिकायत है तो उसकी जाच होनी चाहिये और देश की तथा इतिहास की हमें नए सिरे से चरना करनी चाहिये । तो इस मामले में हम सब को पहल करनी चाहिये और लोकायुक्त तथा लोकपाल का विधेयक गृह मंत्री जी सदन में ला कर पास करवायें तब लोगों द्वारा की जाने वाली शिकायतों

की जाच हो सके और देश के अन्दर कानून की व्यवस्था पुनः स्थापित हो । जनता पार्टी ने बचन दिया है कि हम देश में स्वतंत्रता स्थापित करेंगे । इसलिये हम चाहते हैं कि उन आरोपों की जो जनता ने बड़े बड़े लोगों के विरुद्ध लगाये हैं निष्पक्ष जाच हो और इस बारे में एक स्थायी व्यवस्था देश में हो सके । इस से यह लाभ होगा कि किसी भी व्यक्ति के ऊपर किसी को उगली उठाने की जरूरत न होगी ।

इमरजेंसी के अन्दर देश में मधुर्य चला जिस में हम सब ने भाग लिया । मैं चाहता हूँ कि विदेशों में भी इस बारे में भारत-वासियों का जो रोल रहा है देश में जनतंत्र पुनः स्थापित करने के लिये, चाहे वह भारत-वासी इंग्लैंड में हों, अमेरिका में हों या कनाडा में, उन सब का धन्यवाद दिया जाय । विदेशों में हमारे मंत्रियों से जब एमरजेंसी के बारे में सवाल पूछे जाते थे तो वह उन का जवाब नहीं दे सकते थे । प्रवासी भारतवासियों ने वहाँ पर सगठन बनाये और देश की सही स्थिति को लोगों को बताया । कांग्रेस सरकार उन लोगों को दण्डोही कहती थी, महात्मा कि यह लोग तो जय-प्रकाश नारायण जो भी और मोरारजी को भी दण्डोही कहते थे । मेरी मांग है कि विदेशों में जो प्रवासी भारतवासी हैं उन सबका एक सम्मेलन सरकार बुलाये और देश में प्रजातंत्र की स्थापना के लिये जो कुछ भी कार्य किये हैं उस को लिये उन्हें धन्यवाद दिया जाय ।

जहाँ तक विदेश नीति का सम्बन्ध है मुट निरपेक्षता को हमारी पार्टी ने स्वीकार किया है । मिडिल ईस्ट का जहाँ तक मवाल है भारतवर्ष को इस के अन्दर एक प्रभावी रोल भूदा करना है । भारत ने सदा इस बात को स्वीकार किया है कि किसी भी देश की जमीन पर दूसरे देश का अधिकार नहीं होना चाहिये । अगर किसी

[श्री जगदीश प्रसाद माधुर]

दूसरे देश का अधिकार है तो उस को उस कब्जे को खाली करना चाहिये। हमारी अपनी जमीन भी जो दूसरे देश के कब्जे में है खाली हानी चाहिये। अरबों की जो जमीन इजराइल ने दबा कर रखी है वह खाली होनी चाहिये। आज हमारा इजराइल से कोई सीधा सम्बन्ध नहीं है। अगर उस इजराइल से सम्बन्ध रख सकता है तो हम भी इजराइल को मान्यता दें और फिर सीधे उस से विचार विमर्श कर क अरबों की जमीन खाली कराने के लिये प्रभाव डाल सकते हैं। तभी हम इफ्रेटिव रोल सारे मिडिल ईस्ट क अन्दर पते कर सकते हैं।

अन्त में मैं विरोधी दल के नेता से निवेदन करना चाहता हूँ कि जो सद्भावना का हाथ जनता पार्टी ने उन के प्रति बढ़ाया है उस को वह स्वीकार कर और हम सब मिल कर भारत में जो दूसरा गणतन्त्र हमन प्रारम्भ किया है उस में नई परम्परा स्थापित करने के लिये एक सही विरोधी दल के नेता के रूप में वह उभर आयें। ऐसी हमारी कामना है।

श्रीमती ग्रहिल्या पी० रागनेकर (बम्बई नार्थ सेक्टर) : अध्यक्ष महाशय, मैं माननीय श्री यशवन्तराव चव्हाण का भाषण बहुत प्यार से सुना। उन्होंने मार्क्सिस्ट कम्युनिस्ट पार्टी के बारे में बहुत कुछ बताया और सवाल भी पूछे। उन्होंने सवाल पूछा कि मार्क्सिस्ट कम्युनिस्ट पार्टी जनता पार्टी के साथ कैसे जा सकती है? उन्होंने जनता पार्टी के बारे में भी सवाल पूछा कि यह प्रजीव जानवर कैसे हैं, और क्या ये मार्क्सिस्टजम को भूल गये हैं?

मैं नम्रता से श्री चव्हाण से पूछना चाहती हूँ कि आपने केवल 5 साल तक सी पी आई के साथ सम्बन्ध किया, तो क्या सी० पी० आई० ने अपना मार्क्सिस्टजम

छोड़ दिया था? अपने जमाने में आपने चुनाव के दौरान ए०आई० ए० बी० एम० के साथ एलायंस किया था, क्या उन्होंने अपना मार्क्सिस्टजम छोड़ दिया था? आपका उनके साथ एलायंस चल सकता है। बम्बई में आपने शिव सेना के साथ एलायंस किया। एक जगह कांग्रेस का पलट था और दूसरे बाजूम शिव सेना का पलट था। दोनों मिलकर बोटों के लिये दोड़ते थे। आपको दूसरों से सवाल पूछने की क्या जरूरत है? इन्होंने अपने चुनाव में जो कुछ किया, उसे जनता जानती है वह जनता के सामने है। मैं जाना चाहती हूँ कि शिव सेना कौन से इनामिक इश्यू पर आपके साथ आई थी? हमें यह सब मालूम है। इस चुनाव के बाद भी क्या आपको मालूम है कि जब बम्बई में जनता पार्टी के साथी लोगों की मोटिंग हो गई, उसके बाद शिव सेना के लोगों ने स्टैंडिंग किया है? 15 लोग आज भी अस्पताल में मौजूद हैं। अब जनता पार्टी और दूसरों ने अलायंस हुआ है तो क्या बात है? आप अलायंस कर सकते हैं, दूसरे नहीं? इस पर आपको खुद विचार करना चाहिये, ऐसी मेरी बिनती है।

श्री यशवन्तराव चव्हाण : हमने एलायंस नहीं किया।

श्रीमती ग्रहिल्या पी० रागनेकर : मैं जानना चाहती हूँ कि आपने क्या किया। ऐसा हो सकता है कि शिव सेना आपकी ही त्रियमन होगी, इतलिये आप आत्मावी से नहीं मानत हैं, बल्कि ही साथ लेकर चलना चाहते हैं।

आपने ऐसा भी कहा है कि जनता ने जो बाट दिये हैं वह 42वें संविधान संशोधन के खिलाफ नहीं है। लेकिन मैं आपसे कहना चाहती हूँ कि इस चुनाव में हर जगह जनता ने इनके खिलाफ वोट दिया है।

प्राप कहते हैं कि हम संसद् को सार्वभौम मानते हैं, लेकिन गये एक साल 7 महीने में यह संसद कहा रही और इसकी सार्वभौमिकता कहा रही जब कि एमजेंसी का डिस्मिशन लेते हुए कॅबिनेट को भी नहीं पूछा गया ? कहा इसकी सार्वभौमिकता रही ? इतना ही नहीं, यह लोक सभा की प्रोसीडिन्स को पेपर्स में छापने के जो अधिकार थे, उनको भी छीन लिया गया । यह लोक सभा उस समय खड़ स्टैम्प बन गई थी, उसकी कुछ भी सार्वभौमिकता नहीं रही थी । इसे जनता जानती थी, इसीलिये जनता ने इसके खिलाफ वोट दिया है । इसे प्रापको मानना चाहिये, अगर प्राप अभी भी नहीं मानते हैं तो प्रापकी जो डिफीट हुई है, उसको प्राप सचाई से नहीं मानते हैं, ऐसा समझना चाहिये । प्राप अभी तक हैडिडेशन कर रहे हैं । प्राप मानते हैं कि यह एमजेंसी के खिलाफ नैगटिव वोट है, यह नैगटिव वोट नहीं है ।

प्रापने देखा कि हमारी भूतपूर्व प्रधान मंत्री जब सीलोन गई उन्होंने वहां पर कहा कि देश में सब बात ठीक है, एक भी पालियमेंट का मेम्बर जेल में नहीं है । उस समय हमारे 22 मेम्बर पालियामेंट जेल में थे । सर्वथी मधुलिमय, मधुदंडवत, अटल बिहारी वाजपेयी आदि 22 मेम्बर जेल में थे । दूसरे देश से जाकर वह एलान करती हैं कि हमारे देश में एक भी मेम्बर जेल में नहीं है ।

15.39 hrs.

[SHRI DHIRENDRANATH BASU in the Chair]

SHRI YASHWANTRAO CHAVAN: She has not made such a statement.

श्रीमती प्रह्लिया पी० रांगनेकर : यह पेपर में प्राया है, अगर प्राप चाहते हैं तो मैं बता सकती हूँ । और यह सब कहने को हिम्मत दुर्गाबाई भागवतू ने की और इसीलिये उनको जेल में जाना पड़ा ।

श्री वसंत साठे : उस वक्तव्य की कापी तो मिल सकती है । उस को लाइये और दिखा दीजिए ।

श्रीमती प्रह्लिया पी० रांगनेकर : श्री साठे महाराष्ट्र के रहने वाले हैं । क्या वह दुर्गाबाई भागवत को नहीं जानते हैं ? उस को हैरास क्यों किया गया ।

श्री वसंत साठे : मैं दुर्गाबाई भागवत की बात नहीं कर रहा हूँ । मैं ने वक्तव्य की कापी के बारे में कहा है ।

श्रीमती प्रह्लिया पी० रांगनेकर : हम जरूर कापी लायेंगे । यह कहने की तो जरूरत नहीं है कि एक्सेसिज हुई हैं और लोगों को हैरास किया गया है । अगर माता नहीं मिली, तो 7 साल की पोलियोप्रस्त खट्की को गिरफ्तार कर लिया गया । क्या ये एक्सेसिज हैं ? यह तो जान-बूझ कर मताने की पालिसी है । मरे हुए आदमी के लिए वारंट ले कर जाने की भी भदता हुई है । 85 साल के व्यक्ति, पूर्णपात्री बुढ़ेका, को स्ट्रेंचर पर ले जाया गया था, लेकिन उन को एक्टिव बकरं बताया गया था । जिस को चाहा, उनको गिरफ्तार कर लिया गया ।

बहा जाता है कि ये प्रक्रियाओं की प्रलतियां थी । ये प्रक्रियाओं की प्रलतियां नहीं थीं, बल्कि मिनिस्टर्स के घाटं पर यह सब कुछ किया गया था, जो प्रपना बचाव करने के लिए ऐसी बातें कह रहे हैं । हमारे घराब की पजह से बहुत से मुख्य मंत्रियों को सडास से भागना पडा था । अगर हन लोगों को गिरफ्तार किया जाय, तो हम समझ सकते हैं । लेकिन हमारे साथ एक कॅमिलो प्लानिंग सेंटर की नर्म थी । उनका कोई मुनाह नहीं था । वहा के एक भरपब के साथ उन की कुछ बातचीत हो गई । इस लिए उन को भी जेल में डाल दिया गया । कहा गया कि वह धार० एम० एम० की कार्यकर्ता है, हालाकि धार० एम० एम० में श्रीखों को नहीं लेने है ।

[रोमनी ग्रहित्या पी० गगनेकर]

इनने अधिक लोगो को विरफ्तारी के बारे में पूरी जाच होनी चाहिए, और जो लोग इस के लिए जिम्मेदार हैं, उनका सजा दनी चाहिए। हम इन बातों को भूल नहीं सकते हैं। सातार के 3 साल के बच्चे, योगेश अगलेकर, और 5 महीने के बच्चे, जमीर अगलेकर, पर डिटेनशन आर्डर लगाये गये। इसी तरह नागपुर की दार्द साल की लड़की, प्राजलि, पर डिटेनशन आर्डर लगाया गया। कहा गया कि उस के बाहर रहने से इमर्जेन्सी के लिए खतरा है। ये मालूमी एक्सेसिड नहीं हैं, बल्कि यह सब कुछ एक मुनिषिचन पालिनी के प्रस्तुत किया गया है।

कांग्रेस पार्टी की तरफ से कहा गया है कि लोगों ने कास्टीडियन के 42वें एम्पेट के विरुद्ध रोट नहीं दिया है। मैं कहना चाहती हूँ कि जब मजदूरों के प्रोसेशन और एम्बेलो के हक छीन लिये गये, जनता के मौलिक अधिकार छीन लिये गये, तो क्या जनता की इस बारे में कोई राय नहीं है। जनता ने साफ़ तौर से कहा है कि इन एम्पेट से हमारे मौलिक अधिकारों को छीन लिया गया है, इस लिए जिन लोगो ने यह एम्पेट किया है, हम उन को बोट नहीं देंगे। आप देखें बम्बई में 6 की 6 सीटें प्रोपोजिशन का क्या मिली। कहा ता अधिक क्लास बड़ी तादाद में है और 1971 में 6 की 6 सीटें कागस को ही मिली थीं। तो यह क्या हुआ? क्योंकि जनता ने यह मान लिया था कि हमारे हकों के लिए अगर लड़ना है, लोकशाही के हक के लिए लड़ना है तो इस टाइम विरोधी दल को बोट देना चाहिए।

मह भी आप कह रहे थे कि कांग्रेस को गाली देन के लिए हिन्दुस्तान के विकास के बारे में कुछ न बहें। हम कांग्रेस को गाली नहीं देना चाहते। कांग्रेस तो ऐसे ही मरी हुई है। मरे हुए का ज्यादा पीटना हम अच्छा नहीं समझते। लेकिन मैंने बहुत कुछ लोकशाही की भाषा कहा से सुनी। मुझे

एक बहावत याद आई कि बूद से गई वह होद से नहीं आती लेकिन ये तो होद से गई है, उस को बूद से लाने की कोशिश करते हैं। आप देखिये डेवलपमेंट के बारे में क्या हुआ है? आप कहते हैं कि कांग्रेस को गाली मत दो। लेकिन 20 साल में कितना कुछ करके रखा है, उसको अच्छी तरह से अच्छे रास्ते पर लान के लिए बहुत कोशिश करनी पड़ेगी।

आप यह देखें कि गरीबी हटाने का नारा दिया था। उससे पहले नारा दिया था— नई रोसनी लाई है। जब नई रोसनी का नारा दिया था तभी आपको मालूम है कि हमारे महाराष्ट्र के देहात की ज़ामिनियो में पासलेट का दिया भी नहीं जल पा रहा था। पासलेट नहीं मिलता था। कीमतें बढ़ती जा रही थी। यह सब जो किया है उसको रास्ते पर लाने के लिए तो कोशिश करनी पड़ेगी। उसको रास्त पर लाने के लिए पहले क्या किया है उसको तो सामने लाना पड़ेगा। आप कहते हैं कि उसको सामने नहीं लाना चाहिए। हम कांग्रेस की गाली नहीं देते हैं। लेकिन जो कुछ किया है उसके बारे में तो सोचना चाहिए, उसको जनता के सामने, हाउस के सामने लाना चाहिए, कुछ सोचना चाहिए। अभी हमारे एक सदस्य ने कहा कि दरिद्रता की रेखा के नीचे 40 प्रतिशत से अधिक 70 प्रतिशत हैं।

टैक्सेशन के बारे में आप देखें। अभी जो इन्डायरेक्ट टैक्सेशन का उसमें 100 रुपये पर 85 रुपया टैक्स न देना पड़ता था। इसलिए कीमतें बढ़ गईं। चाय की कीमत बढ़ गई, मुरार की कीमत बढ़ गई और जितनी जरूरत की वस्तुएं उन की कीमत बढ़ गई इसी इन्डायरेक्ट टैक्सेशन की वजह से। इस इन्डायरेक्ट टैक्सेशन के लिए जिम्मेदार कौन है? बीस साल से यह जो गड़बड़ चल रही थी वही इसके लिए जिम्मेदार है। अगर कीमत नीचे लानी है तो हमको सोच विचार जरूर करना पड़ेगा।

आप कहते हैं कि बैंको का नेशनलाइजेशन किया। हम सब लोगों ने उसका स्वागत किया था। लेकिन नेशनलाइजेशन के बाद उसका फायदा किसने उठाया? उसका हिसाब आप देने वाले हैं या नहीं? आप देखिये कि नेशनलाइजेशन के बाद इन बैंको से कर्जा किसको मिला है? बड़े बड़े मत्सेदारों को, मोनापॉलिस्ट्स को। उन्होंने इसका फायदा उठाया। गरीब जनता को इससे फायदा नहीं हुआ है। गरीब जनता को इन बैंको से कर्जा नहीं मिला है नेशनलाइजेशन के बाद और जहाँ देहात में कर्जा मिला है वह कर्जा बमूल करने के लिए उनके घर का छाता भी निकाल लिया है, उनके पास अब कुछ भी नहीं है। तो यह नेशनलाइजेशन क्या है? इसका हमने स्वागत किया था लेकिन उसका हुआ था? वह भ्रमल में कैसे लाया गया? जो घोषणा कर रहे हैं उसको भ्रमल में कैसे लाते हैं यह सवाल है? नेशनलाइजेशन इस तरह में भ्रमल में लाया गया जिससे बड़े बड़े मत्सेदारों को उसका फायदा हुआ। दो चार टैक्सियाँ और दो चार रिक्शे तो मिले हैं लेकिन आम जनता को उससे फायदा नहीं हुआ। बड़े लोगों ने ज्यादा फायदा उसका उठाया।

आप यह देखिये कि एक साल सात महीने में क्या हुआ? आप कहते हैं कि इस पेरियड में एम्बेडेज नहीं हुए? कमशन किसको दिए गए? एक साल सात महीने में आप देख लीजिए हिन्दुस्तान में कितने मल्टी नेशनलस आ गए हैं, कितनी नई नई फ़ैक्टरी कंपनियाँ आई हैं? ये क्या कहाँ आती हैं? इसलिए कि हमारे यहाँ मजदूर लोग मस्त मिलन हैं। इसलिए उनका एक्सप्लॉयटेशन के लिए यह लोग आते हैं। इस की जिम्मेदारी किसके ऊपर है? यह चीन अगर बदलती है या था इसमें दखल देने की ज़रूरत नहीं है? मोनापॉलिस्ट्स के नुक़े बढ़ गए। लेकिन आप न क्या किया? आपने बीनम का कानून रद्द कर दिया। कम्पनरी डिपॉजिट स्कीम

से भाए। किन को फायदा हुआ? आप देखिए कि जनता के ऊपर एकोनामिकली, पोलिटिकली हर तरह से विपरीत प्रभाव पड़ा और इतना ही नहीं चौहान जी को मालूम है इसी टाइम में हरिजन के ऊपर क्या क्या अत्याचार हुए? हरिजनों के ऊपर अत्याचार बढ़ गए। गवर्नर बन्धु को तो मिसाल उनको मालूम है। जिन्होंने इतना अत्याचार किया उनको चार महीन की सजा होती है और वह भी भाग करने को गवर्नर को कोशिश होती है लेकिन जो पोलिटिकल डेन्टेन्यूज थे उनको एक साल सात महीने तक जेल के अन्दर रखा गया। मानवत हत्याकांड में हरिमणी देवी और उत्तम राव बारहात केवल तीन दिन मीसा के अन्दर बन्द थे। उन के लिए तीन दिन का मीसा काफी था जिन्होंने सात साल आठ आठ बन्द किए। उनके लिए केवल तीन दिन का मीसा और जिन्होंने कुछ किया नहीं, जो आपके पोलिटिकल प्रपोजेंडस थे उन को एक साल सात महीने बन्द रखा। जब यह मीसा हाउस में लाए थे तो हाउस को एम्बोरेस दिया था कि मीसा का उपयोग पोलिटिकल प्रपोजेंडस के खिलाफ नहीं किया जायगा। ऐन्टी सोशल एलिमेन्ट के खिलाफ उसका उपयोग किया जायगा लेकिन यह बात में उसका उपयोग ऐन्टी सोशल एलिमेन्ट के खिलाफ नहीं किया गया। महाराष्ट्र में जेलों के अन्दर ऐन्टी सोशल एलिमेन्ट केवल एक हजार थे जब कि पोलिटिकल डेन्टेन्यूज 2200 थे। जा एम्बोरेस आपने इस फ्लोर पर दिया था उसको भी आप भ्रमल में नहीं लाए। क्या आप इस बात पर सोच विचार नहीं करेंगे? अगर आप डिफीट मानते हैं तो इस पर भी आपको सोच विचार करना चाहिए और एक्शन करना चाहिए कि यह बात हम से हुई है और इस बात को बदलना चाहिए। मीसा के बारे में केवल सोचन में या रिज्यू करने में कुछ नहीं होया, इसको रिप्रीज करना चाहिए, वापिस लाना चाहिए। इस तरह के कानून जो गैर-कानूनी तरीक़ों से इस देश में लाया का

[श्रीमती श्री. लुत्पा पी० रागनेकर]

डिटेन करते हैं उनको नहीं रहना चाहिए क्योंकि उसका कारण इतिहास पार्टी का हाथ में अपने पोलिटिकल एपोनन्डस को बढ़ाने का अधिकार रहता है। मुझे मान्य है, बन्हाण साहब को भी मान्य होगा कि ब्रिटिश गवर्नमेंट ने जमाने में हम जेल में थे, नहरू गवर्नमेंट के जमाने में भी जेल में थे लेकिन हम बोटों में रिवियस कॉर्पस के लिए जान का अधिकार था लेकिन अभी हमारा वह अधिकार भी छीन लिया गया था। किसी को भी कोई अधिकार नहीं था रिवियस कॉर्पस करने का या बोट में जाने का। ऐसी बात तो इस देश में कभी भी नहीं हुई थी। इसका बारे में भी आपको सोचना होगा। आप लोकशाही के अधिकार छन लेंगे तो क्या आप समझते हैं कि उसका बारे में जनता सोचती नहीं है। जनता ने इसको सोचा है। अगर आप समझते हैं कि आगे आने वाले दिनों में आप फिर आने वाले हैं तो आप साब समझ लीजिए कि अगर इसी तरह से आप राज करने लगे तो कभी भी नहीं आ पायेंगे।

जनता पार्टी का जो सदस्य यहां पर चुनकर आया है, मैं ऐसा मानती हूँ कि उन पर बहुत बड़ी जिम्मेदारी आई है। उनको इस बात को अपने ध्यान में रखना चाहिए कि लोकशाही को कबल ला देना से कुछ नहीं होता, आगे आने वाले दिनों में लोकशाही की रक्षा करने की जिम्मेदारी भी उनकी चाहिए।

इस सम्बन्ध में कुछ बातें आ कि ऐसे में नहीं हैं वह मैं यहां पर बताना चाहती हूँ। दो तीन ऐसे अधिकार हैं जो कि कास्टीडियन में आने चाहिए। पहली बात तो यह है कि जो कास्टीडियन एम.ब. दिया गया है उसके स्थान पर फिर से पुराना कास्टीडियन आना चाहिए। दो तीन और अधिकार हैं जिनको कास्टीडियन में रखना चाहिए। एक अधिकार है राइट टु बक, काम का अधिकार जो कि जनता पार्टी ने अपना मैनिफेस्टो में रखा है। इसका समावेश कास्टीडियन में होना चाहिए। दूसरा अधिकार है राइट टु

रिफ़ाल, यानी वापिस बुलान का अधिकार। आपको मालूम है इस देश में आचाराम गयाराम बहुत हो गए हैं। इस बात का खिलाफ कानून बनाने की कोशिश करें। राइट टु रिफ़ाल का अधिकार कास्टीडियन में होना चाहिए। जो सदस्य चुन कर आता है, वह जिस परंपरा और जिस कारण से चुन कर आता है उसको अगर वह पूरा नहीं करता है तो जो लोग उसको चुन कर भेजते हैं उन्हें उस सदस्य को वापिस बुलाने का अधिकार भी होना चाहिए। लोकशाही में यह अधिकार होना चाहिए और कास्टीडियन में इसको रखना चाहिए। इसी प्रकार से आप लोकशाही की रक्षा कर सकेंगे। तीसरे प्रपोज़िशन रिजिस्ट्रेशन का अधिकार भी कास्टीडियन में होना चाहिए। ऐसा करने से ही आगे आने वाले दिनों में लोकशाही की रक्षा हो सकेगी और लोकशाही और भी मजबूत होगी—यह बात मैं कहना चाहती हूँ।

अब आप प्राथिक समस्याओं की बात दिये—कीमतें बढ़ रही हैं—इस बारे में प्रत्यक्ष कुछ बातचीत होनी चाहिये। मजदूरी का वानस का मामला है—उसको रेस्टोर किया जाना चाहिए। मिनिमम लिवांग-वेज तो मिलना ही चाहिए—इसके बारे में जो भी प्रश्न आएं कर सकते हैं, जल्द से जल्द होना चाहिये। गरीबी और दरिद्रता हटाने की बात भी बहुत जरूरी है—लेकिन जो चीज आप फौरन कर सकते हैं उसको करनी की कोशिश होनी चाहिये।

लोकशाही की रक्षा के लिए हमारे प्रेसिडेंट महोदय ने कहा है कि इस चुनाव के बाद एक नया दृश्य हम देखते हैं, एक नई लोकशाही का आग प्रभुत्व हुआ है, जो दो पार्टियों की लोकशाही है। लेकिन मैं यह भी पार्टियों की चाहती हूँ कि यहां पर कुछ दूसरी पार्टियां भी हैं, जिनका मजदूरों में समाज के प्रति जागृति पैदा की है देश की जनता का इन समाजवाद के प्रति जागृत किया है। इन पार्टियों का सहकार और सरकार चलाने में, काम-काज चलाते में तना चाहिये और वह आपको तना

पड़ेगा। इन पार्टियों को मलग रखने से, उनको उचित मान न देने से कारोबार ठीक से नहीं चलेगा, क्योंकि वे भी जनता की रिप्रेजेंटेटिव हैं, जनता का प्रतिनिधित्व करने वाली हैं। इसलिये मेरा कहना है कि इस बारे में भी ध्यान रखा जाना चाहिये।

अब मैं कुछ घोषणा सा काग्रेस वैंचिस को कहना चाहती हूँ आप को यह ध्यान में रखना चाहिये कि इस बार जनता ने काग्रेस को डिफीट दिया है। यह डिफीट आप को वोटों के द्वारा दी है लेकिन जनता का सताप आप ने अभी तक नहीं देखा है। सचमुच जनता में आप के प्रति बहुत गुस्सा था। कोई भी ऐसा नहीं समझता था कि जनता इस तरह से अपने गुस्से की प्रदर्शित करेगी। इस से काग्रेस वालों को शिक्षा लेनी चाहिये। यशवत राव जी ने इस बात की मान ली है इस लिये जब आप इस बात को मानते हैं तो आप का फज है कि दूसरों की बातों को धैर्य के साथ सुनें, क्योंकि इस चुनाव के बाद अब बहुत लोगो की जीवान खुल गई है, इस से पहले अगर कोई कुछ कहने की हिम्मत करता था तो आप उस की जीवान अचर धीचने वाले थे। कुछ लोग कहते हैं— अगर बानू जगजीवन राम पहले कुछ बोलते तो हमारे साथ जेल में जबर आते। आप का मालूम है प्रेस पर पादो लगी हुई थी, जनता को कुछ भी पता नहीं चलता था कि आप न किस किस को बन्द किया है। हम लोग जब पकड़े गये तो प्रेस में कुछ नहीं आया, लेकिन छूटन के बाद प्रेस में आया कि इन सब लालों को छोड़ा गया है। तो यह जो प्रेस की पाबन्दी थी, पिछले 30 मान में हिंदुस्तान में ऐसा अभी नहीं हुआ। मुझे यही कहना है कि जिस तरह से प्रेस बानू सरकार ने बापस लिया है दूरी

तरह से मोसा वा बानू भी जल्द से जल्द बापस लेना चाहिये।

आप न यहां पर एक बहुत अच्छी बात नहीं है कि रेडिया दूरदर्शन आदि के लिये आप कुछ इण्डीपेन्डेंट व्यवस्था करने जा रहे हैं। पिछले दिना से इस मास मोडिया का उपयोग केवल एक पक्ष के लिये, केवल एक व्यक्ति के लिये होना रहा है।

आखिर मैं मुने यही निवेदन करना है यहां पर अनको सदस्या ने जिन व्यक्तियों के प्रति भ्रष्टाचार किये गये हैं उन की जाच की माग की है उस में उन की पार्टी का जितना हिस्सा था, मुझे मालूम नहीं है, लेकिन जिन व्यक्तियों के लिये बिचोप रूप से माग की गई है, जैसे मारुति कार का मामला है, इन की प्रत्यक्ष जाच की जानी चाहिये। लेकिन एक बात बहुत जरूरी है—बहुत से मामला में अधिकारियों का उतना दोष नहीं था, ऊपर से फाईर दिया गया था, इस लिये उन्होंने बेसा काम किया, इस लिये मेरा कहना है कि ऊपर तक जाच कर के, तब उनके खिलाफ कार्यवाही की जाये।

16 hrs

श्री सुशील कुमार भारा (नामलुक्त) •
सभापति महोदय, मैं आप को धन्यवाद देना हूँ कि मुझे इस पवित्र सदन में कुछ बोलने का मोसा आप ने दिया है। मैं एक नया मेम्बर हूँ और मुझे हिंदी में बोलने की भाव नहीं है लेकिन मैं हिन्दी में बोलना ठीक समझता हूँ। पहले मैं ने यह तय किया था कि मैं बंगला में बानूया और इस के लिये अध्यक्ष महोदय की इजाजत भी ली थी लेकिन बाद में मैं। तब बर लिया कि मैं दूरी भूटी हिन्दा में ही बानूया। मुझे आता है कि अगर बोलन में कोई भूल हा जाय, तो उस मात्र क्षमा करे।

[श्री सुशील कुमार धारा]

राष्ट्रपति जी के अभिभाषण में बहुत अच्छी अच्छी बातें हैं और उस का मैं स्वागत करता हूँ। इस में पहले-पहल यह दिया दिया हुआ है

"The people have given a clear verdict in favour of individual freedom, democracy and the rule of law and against executive arbitrariness, the emergence of a personality cult and extra-constitutional centres of power"

यह अच्छी बात है। इस के बाद इस में यह कहा गया है -

"My Government pledges itself to fulfil in every way the mandate given to it by the people. In doing so, it will not take the people for granted or assume that they know nothing and that the Government alone knows all answers and solutions."

भाज जो लोग विरोधी पक्ष में हैं वे समझते थे कि आम जनता जो है वह कुछ समझती नहीं लेकिन भाज उन की राय के जरिये से उन को भातम हो गया होगा कि उनकी धमता क्या है। वे समझते हैं या नहीं? मैं यह बतूंगा कि वे सब कुछ समझत हैं। जब हम इलैक्शन के नाते अपनी कास्टी टुपेन्सी में या दूसरी कास्टी टुपेन्सी में जाते थे तो वे कहते थे कि 30 साल तक हम घाघे में रखा है और अब हम जनता पार्टी को बोट देते और दघेते कि पांच साल में क्या होता है। वे कहते थे कि जो गुनाह पहले हा चुके हैं उस में ज्यादा गुनाह पांच साल में क्या होगा। ज़ा कुछ हाना था वह तो हो चुका है और हम लोग को जितनी सपरिगम हानी थी, वे हो गई हैं। अब और पांच साल में उस में ज्यादा सपरिगम क्या बढ़ेगी। इसरिये ज़हान बहू कि इस बार हम जनता पार्टी का बोट देते। जत्ती साहब ने बर्बाद किया है कि यह जनता का

राय है और उन्होंने अपने अभिभाषण में यह भी कहा कि जनता पर तानाशाही जारी हुई थी। जनता के ऊपर और देश के ऊपर जो अत्याचार हुआ उस की पूरी पूरी स्वीकृति इस अभिभाषण में दी गई है। जिस समय जत्ती साहब भाषण दे रहे थे उस समय एक तस्वीर हमारे मन आई और वह तस्वीर कंद में बैठ कर हम ने देखी थी जोकि स्टेट्समैन पत्रिका में निकली थी। जय प्रधानमंत्री श्रीमती इन्दिरा गांधी विदेशों का सफर कर के लौटी थी, तो पालम हवाई अड्डे पर जब वे उतरीं तो जत्ती साहब उन का स्वागत करने के लिये गये थे। जरूर जायेंगे। क्या नहीं जायेंगे? लेकिन जत्ती साहब की जो तस्वीर स्टेट्समैन में निकली, उस की देखकर अफसोस हुआ। जत्ती साहब अपने हाथ जाड़ कर और सिर को जमीन के बहुत नजदीक ले कर उन को नमस्कार कर रहे थे। उस तस्वीर को देखकर मन में बहुत दुख हुआ था। बड़ा दुख हुआ था कि जो सज्जन हमारे देश के सब स ऊंचे पद पर बैठे हैं वे हमारी तानाशाही प्रधानमंत्री के सामने अपनी गदन झुका लेते हैं। अरेल जत्ती साहब ही यह नहीं करते थे उनके साथ सत्य चलाए साहब जो कि अभी बैठे नहीं हैं वे और बहुत सारे बड़े बड़े भावमी, बड़े बड़े नेता लोग भी तानाशाह श्रीमती इंदिरा गांधी के सामने अपना सिर झुकाते थे। यह अफसोस की बात है। अब जब हम उनके इस भाषण को देखते हैं तो ऐसा लगता है कि जत्ती साहब अपने मन से ऐसा भाषण दिया है। यह उनके हृदय से निकली भावना है, उनकी अनुभूति से आई बात है और उन्होंने अपने हृदय से ये सारी बातें हमारे सामने रखी हैं। वे जानते थे कि लोकतंत्र बना गया और श्रीमती इंदिरा गांधी की तानाशाही जारी हो गई। उसमें श्रीमती इंदिरा गांधी ने जो काम किया वह हिन्दुस्तान के लिये निन्दा की बात थी। भाज अब इन

उनके भाषण को देखते हैं तो वह बात मालूम हो जाती है। वे कहते हैं—

"The traumatic experience of the last two years during which many atrocities were committed on the people and they had to undergo untold sufferings and some have even died, has brought home the relevance of this"

यह कडीशन उस समय थी। विरोधी पक्ष के जो लोग हैं वे सब इस बात को मान लें और हम उनसे नम्रतापूर्वक बोलते हैं कि वे इसके विरोध में एक बात भी न बोलें।

जत्ती साहब उस समय भी ये आज भी उसी जगह पर हैं। लेकिन हमारे नेतर लोग जो पहले इधर बैठते थे वे अब उधर चले गये हैं। भाषकी कुछ उपलब्धिया है यह हम मान लेते हैं। लेकिन लोकनायक जयप्रकाश नारायण ने आपसे यही तो कहा था कि भाष अपना मुधार बर। यह तो आपने किया नहीं और जयप्रकाश जी को गिरफ्तार कर दिया। जब लोकनायक गिरफ्तार हुए तो उन्होंने कहा कि बिनाशहाले विपरीत मुडि जो कि ठीक साबित हुआ। आज श्रीमती इंदिरा गांधी का बिनाश हो गया, उनकी पार्टी का बिनाश हो चुका है, जितनी वानागाहा हमारे हिन्दुस्तान के ऊपर बल छा गयी थी उसका बिनाश हो गया है। जनता की राय से यह सब हुआ। यह सब बातें साफ नामक ठीक बोलें। अभी त्रिपुरा का मत्तिमडल घात हुआ। श्री बरूआ जी ने श्री बसोलात्र, श्री धोम मेहता और नारायणदत्त तिसारी को गारिब कर दिया पर ए० आर्द० सी० सी० म नौज-वाना के दम का क्या हुआ यह सब ने मानन है। इसका अनावा श्री गायने जी कतिसे मुनीम कोटं श्री बार एमानियेसन ने एक प्रस्ताव किया। अभी हमारे सामने एक

सूचना आई कि अनाज का भाव गिर गया तेल का भाव गिर गया।

इसके प्रतिरिक्त विरोधी पक्ष के जो नेता लोग हैं वे विनमता पूवक हमारी जनता की राय को मान लें और मान कर अपने आने वाले दिनों के लिये अपने को तैयार करें।

एमरजेंसी जब लागू थी उस समय श्रीमती इंदिरा गांधी और उनके सहयोगी कितनी झूठी बात सारे हिन्दुस्तान को घोर दुनिया को बताते थे इसका एक उदाहरण मैं आपको देना चाहता हूँ। वे कहा करते थे कि कोई पोलिटिकल परसन कैद में नहीं रखा गया है जबकि वास्तविकता यह थी कि हजारों लोगों को कैदखानों में डाल दिया गया था। यह कहा करते थे कि पोलिटिकल कारणा से किसी को कैद नहीं किया गया है। हर बार यही कहा करते थे कि एटी सोसाय एलीमेट्स का घोर इकोनोमिक धाऊडज को ही कैद किया गया है। हम सब लोग जो कैद हुए थे इको नोमिक धाऊडज थे या एटी सासन एलीमेट्स में? तब घसोन कहते थे कि हम लोग पोलिटिकल नहीं हैं। हम कैद में थे लेकिन पोलिटिकल परसन नहीं थे। मैं आपकी जानकारी के लिये बताना चाहता हूँ कि लाखों घादमी भय भी कैद में है। उन में बेचारा रिक्शा वाला है, टेली वाला है, मोडी वाला है। लाखों लामा को बिना कारण कैद में डाल रखा है। उनकी क्या परिधिपति होगी? मैं अपनी सरबार से प्रार्थना करता हूँ कि उनका भी कुछ बन्धुधस्त होना चाहिये। उनकी फमिलीज खत्म होन वाली है घोर नई ता खम हो भी चुकी है। एक पैसा भी उतारो नहीं दिया गया है। हम जब कैद में थे तो उन में हमारी जातपीन हुई थी। अब बेचारे रोने लगते थे। कितने ही घादमी दस तरह से हैं मारे हिन्दु म्यान में। उनके घर में इस भाषण में कुछ नहीं दया जा करण मर दन में दया हुआ।

[श्री सुजीत कुमार धारा]

अब मैं प्रेस के बारे में कुछ निवेदन करना चाहता हूँ। हमेशा यही कहा जाता था कि प्रेस संसरण नहीं है उस तरह की कोई चीज नहीं है। मैं कहना चाहता हूँ कि अभी कुछ दिन पहले तक प्रेस पर संसरण था कुछ न कुछ। आज हमारे नई मंत्री सभा ने उसको समाप्त किया है और अब वह पूरी तरह से हट गया है। इन लोगों ने दण्ड का धोखा दिया है, बहुत मतलब दिया है, नई प्रकार से दिया है इसको अभी भुलाया नहीं जा सकता है।

आर्थिक परिस्थिति और अनाज उत्पादन आदि के बारे में हमेशा झूठ बोलना इनकी आदत हो गई थी। अनाज के उत्पादन के बारे में कोई कहता था कि दस करोड़ टन हुआ है, कोई म्याह्द करोड़ टन और कोई आरह करोड़ टन कहता था। सोम मेहता साहब कुछ कहते थे, चाय मंत्री कुछ और भीमल इंदिरा गांधी एक तीसरी बात। एक बात नहीं कही जाती थी, कोई निश्चान था लक्ष्य नहीं था। कितना अनाज का हमारा उत्पादन हुआ यह कोई ठीक से नहीं बताता था। पात्र जब हम कागज पत्र देखते हैं तो हम पाते हैं कि 1977 एक खतरे का साल है। इस साल अनाज कम पैदा होगा। इसका दोष शायद ये लोग नई सरकार पर थोपना चाहते हैं। लेकिन इसका वास्तविक दोष इन पर है। इनके मुनाफा के कारण अनाज कम पैदा होगा। इसके बारे में भी हमारे जत्ती साहब ने अपने भाषण में कुछ नहीं कहा है, कुछ निश्चान हम इस से दिखाई नहीं दिया है और इसके वास्ते भी हमारे मन में बहुत दुःख है।

भाषण के पहले और चौथे पन्ने पर बहुत अच्छी बातें दी गई हैं। मैं उनका स्वागत करता हूँ। हमारे देश में पांच करोड़ नीजवान आज बेकार हैं। नव स और नया बेकारी शुरू हुई। आप ने बेकारी दूर करने के लिये क्या बन्दावस्त किया था? कोई योजना इस

बारे में बनाई? पांचवी योजना में बेकारी दूर करने के लिये जो योजना कांग्रेस सरकार ने बनाई थी उस के बारे में प्लानिंग कमिशन के एक मेम्बर श्री भामात्य सेन ने कहा कि इस को बड़ी धूर्तता के साथ चलाया। मनएम-प्लानेंट प्रोब्लम के बारे में क्या करेंगे, कुछ नहीं कहा। इसीलिये वर्तमान सरकार ने पांचवी योजना को रिव्यू करने का निश्चय किया है। इसकी मुझ पक्षी है।

हमारे पश्चिम बंगाल में खेती होती है। 80 प्रतिशत लाग खेती पर डिपेंड करते हैं। उन की आर्थिक परिस्थिति को बदलने के लिये खेती पर पूरा जोर देना चाहिये। खेती के बारे में जो कुछ सरकार करने जा रही है उस से हम सहमत हैं। हमारे यहाँ सिंचाई की व्यवस्था ठीक नहीं है। सारे देश में 13 करोड़ हेक्टेयर पर खेती है लेकिन सिंचाई का पानी मिलता है 3 करोड़ हेक्टेयर को। 10 प्रतिशत जमीन इरीगेटेड है। पानी हमारे देश में बहुत है, लेकिन उस का उपयोग सिंचाई के लिये ठीक से नहीं होता है।

इसी तरह में डीसेलाइजेशन के बारे में भी कोई योजना होनी चाहिये। बहुत सारी जमीन इस प्रकार उपजाऊ के लिये निराल सकती है। खेती के बारे में जहाँ प्रतिभाषण के चौथे पन्ने पर एग्री इन्स्टीट्यूट आदि के बारे में कहा गया है वहाँ मैं चाहूँगा कि डीसेलाइजेशन के बारे में जो कुछ व्यवस्था होनी चाहिये।

सविधान का हमने क्या हाल किया है इसमें खी घापित होने के बाद? काफी चेन्ज इस दौरान किये गये हैं। और 26 साल में हम ने सविधान में 44 बार संशोधन किये। हमारा देश गणतान्त्रिक है, अमरीकन भी है, लेकिन अमरीका में 200 साल में 23 मतलब संशोधन हुआ, जब कि हमारे यहाँ 26 साल में 42 या 44 मतलब संशोधन हो चुका है। यह क्यों हुआ? यह इंदिरा गांधी जी की अपनी सुविधा के लिये, फैमिली के बच्चे में

सारे हिन्दुस्तान को रखने के लिये हुआ और कुछ नहीं हुआ।

हमारे मन में आज यह सतोष है कि रामबरेली की जनता ने और सारे हिन्दुस्तान की जनता ने उनका ठुकरा दिया है और लाखों लाखों देश के नौजवान उनको छोड़कर जनता के साथ आ गये हैं। हम नहीं जानते कि वह अब क्या करेगी? हमारे हिन्दुस्तान में रहूंगी या नहीं रहेगी, या भागने की कोशिश करेगी? यह हमारी जानकारी में नहीं है। यह आनन्द की बात होगी अगर उनको भागने नहीं देगे, बहुत सारी ऐसी चीजें निकलेगी जो कि हमारे कास्टीट्यूशन को सुधारने के नाम पर उन्होंने गुनाह किये हैं। हमारे संविधान के रक्षिता श्री हरि विष्णु कामत ने बाला

*It is neither mending nor amending
but ending the constitution*

उस कास्टीट्यूशन को हमें फिर बचाना है और ठीक ज. ह. पर रचना है। जो कुछ श्रीमती गांधी ने अपनी सुविधा के लिये, अपने इलैक्शन की कर्पण को बचाने के लिये किया था, उसका पूरा पूरा इलाज किया जाना जाना चाहिये।

हमारे देश में उपज बढ़ाई के लिये खाद की बहुत जरूरत है। स्वतंत्रता के बाद 30 सालों में हमारी खाद का बितना टारगेट हुआ। सलवाना में हम ज्यादा से ज्यादा खाद पैदा करते हैं। 18 लाख 95 हजार मीट्रिक टन खाद हम तैयार करते हैं। इसमें नाइट्रोजन भी शामिल है। हमको जो खाद मिलती है तो एक हेक्टर की जो सिंचाई वाली जमीन है उसके लिये हमको 50 के. जी० से ज्यादा खाद नहीं मिलती है। जिस की खेती करने का अनुभव है, उनकी समझ में यह आ जायगा कि यह खाद काफी नहीं होती है। सिंचाई में आन्तर्वा जो जमीन है उसके लिये तो यह खाद बहुत ही कम है। इसका पूरा बन्दोबस्त होना चाहिये।

हल्लिया हमारी कास्टीट्यून्सी के बीच में है। वहाँ पर फर्टिलाइजर प्लांट बनने की बात आगे से चल रही है। पता लगा था कि उसका बहा पर कमीशन होने की बात 1972 में थी, लेकिन आज घोषित हुआ कि 1977 में उसका कमीशन होगा। हम इलैक्शन के दौरान कई बार वहा पर गये, लोगों से बात-चीत की और वहा जितने एम्पलाईज हैं, उनसे बातचीत की। वे बोलते थे कि 7, 8, 10 साल तक यह कमीशन नहीं होने वाला है। कब हो? पता नहीं।

जब वह फर्टिलाइजर फैक्टरी प्रोडक्शन देगी, तो कितना देगी। अगर प्रोडक्शन होगा तो उसकी क्षमता 3 लाख 23 हजार मीट्रिक टन होगी। इस बारे में चीन के प्रीजीडेंट माजलेंगु ने एक महत्वपूर्ण बात कही थी—

The pig is the mobile fertilizer factory

वह मोबाइल फर्टिलाइजर फैक्टरी के नाम पर बोलते थे। और हम बोलना चाहते हैं कि—

*The cow should be taken as the
mobile fertilizer factory in India.*

भारत में गांव को हम जरूर मोबाइल फर्टिलाइजर फैक्टरी समझते रहे हैं। हमें यह समझना चाहिये कि इसके बारे में हमें कुछ बन्दोबस्त करना है, नहीं तो फर्टिलाइजर हमें कभी भी उपज के लिये नहीं मिलेगा। हमारा कहना है कि हमारी सरकार इसका दन्तजाम करे। अगर हमारे जत्ती साहब के प्रतिभाषण में इसका कोई जिक्र मिलता तो हमारे मन में बहुत आनन्द होता।

हमारे देश में छ लाख से ज्यादा गांव हैं और तीन हजार टाउन हैं। इन गांवों की आर्थिक स्थिति में सुधार होने पर ही हिन्दुस्तान की साठ करोड़ जनता की आर्थिक उन्नति हो सकती है। इस लिए मैं गांधीजी की इस शिक्षा को याद कर के अपना भाषण समाप्त करता हूँ कि हमें अपने देश के गांवों की तरफ ध्यान

[श्री नरेश कुमार धार]

देना चाहिए—उन की उन्नति से ही हिन्दुस्तान की उन्नति होगी।

इन शब्दों के साथ मैं राष्ट्रपति के अभिभाषण पर रखे गये धन्यवाद प्रस्ताव का समयन करता हूँ।

SHRI J RAMESHWARA RAO (Mahabubnagar) Mr Chairman, Sir, may I congratulate the Prime Minister and his colleagues on their assumption of office? We have witnessed a great change in the political scene in India. The elections that have just been held have been remarkable. People all over the world appear to have been in a sense emotionally involved in our election experience and have been deeply affected by the whole process, the results and the consequences. The electoral process which we have gone through should convince anyone, including Mr Hegde if convincing is still necessary, about the deep and abiding commitment of the people of India and the Indian National Congress to democratic values and democratic processes.

In the last few days, many have accused our party of being undemocratic and inclined to authoritarianism. They have even objected to some of us saying that Indiraji should be complimented on accepting the verdict of the people with humanity and grace and helping in the smooth transition from Congress Party rule to Janata Party rule. Surely, Mr Chairman if we were not committed to democracy, democratic values and democratic processes, the Janata Party would not be sitting on the Government benches today.

I suppose these facts will come to be appreciated in time and in their correct perspective when the sound and fury of the elections subside and the dust of controversy settles.

Though I have had two very brief and insignificant spells on the opposition benches, this is really the first time that I am functioning as a

member of the Opposition. I had thought that I could make the transition from the Government benches to the Opposition benches with ease, but as I stand up to speak, I do feel slightly embarrassed.

Who are the hon. Members sitting on the Government Benches? Elders, teachers, colleagues, friends, comrades-in-arms, and I recall shared ideals, joint effort and endeavour of over 35 years in the cause of a common objective of achieving freedom and strengthening democracy. Looking back, one finds there has been really so little that we basically disagreed upon and yet today face each other with, I hope, what can really be only different approaches to the common goal, that is the welfare of the million of people of this ancient land. The removal of hunger, of poverty, of want, of disease and the creation of opportunities for a better and fuller life for everyone. This has to be achieved without individual pettiness, selfishness, greed or self-aggrandisement.

The President's Address refers to the verdict of the people and the need for consequential action. We accept the verdict of the people in all humility.

We shall not only function as a responsible and constructive Opposition but, I hope, as an effective Opposition. We shall also extend all our help in the implementation of the real verdict of the people. We wish the new government well. The country's requirements do not change with a change in government. The need of the hour is a just, and stable government which can bring about rapid socio-economic growth. We shall, of course, do nothing that may lead to destabilisation and I hope, Mr Chairman, my friends, Opposite will not object, if I were to say I hope that the new government and the party power will not act in their euphoria of victory in a manner

which may lead to de-stabilisation as that would only delay progress and the implementation of our programmes of economic development

With a person like Shri Morarjibhai as the Prime Minister the new government cannot but create confidence in the people of this country. Why only Morarjibhai? Everyone in the new government is a person of ability and distinction. With such a galaxy of talent we shall all feel confident and yet one can commit mistakes. Our party made mistakes. There is no shame in accepting that we did make mistakes. If we had not made mistakes we will not be sitting in the Opposition today.

The new government and the new party can also make mistakes. It will be our duty and endeavour to point out these mistakes and suggest correctives. We shall naturally feel free within the rules of constitutional propriety to draw the attention to the lapses and shortcomings of the functioning of the new government. When we find that policies are being initiated which in our opinion are not conducive to the welfare of the people or for achieving the common objective that we have all put before ourselves that is, of a better life for the million of our countrymen then we shall disagree with the policies, that the new government wishes to embark upon and will put before this Parliament and the people alternative policies which we may consider more suitable for the achievement of the common objective.

Yesterday my colleagues Sarvaswri Shyamnandan Mishra and Purushottam Mavalankar found fault with one of our colleagues for referring to the voting pattern in the recent elections. I am sorry both Shyambabu and Purushottam are not here. I would like to assure both of them and our other friends. Opposite that there never was any intention to create regional differences. We are all Indians first and Indians last and the

region from which we come from is not important. What one of my colleagues was trying to point out was—and if they only had the patience to listen—they would have understood him.

What one of my colleagues was trying to point out was that while the majority of the people have given their verdicts against us the voting pattern did reveal a certain peculiarity. We find it difficult to believe that this was an accident. There must have been political sociological or economic reasons for this kind of a voting pattern. The voting in the middle belt was divided. At one end it was totally against us, at the other end it was totally with us. Could it be that the emergency and the so-called excesses of the emergency did not touch some parts of the country or could it be that family planning was differently understood or implemented in these areas? I know that in the years to come, scholars would write learned doctoral theses on this subject and yet let us not overlook this fact in the immediate present. It will require great tolerance and sympathetic understanding between the Government and the Opposition to ensure that the different voting patterns in different regions are not exploited to the country's disadvantage.

Would you not, Mr. Chairman, agree that this can easily be exploited by unscrupulous persons? Is it not the duty of the Opposition to caution the Government against possible dangers? Speaking to some of my own colleagues, I have expressed the hope that the Congress Working Committee will go into this question and take appropriate action to study and analyse, have an analysis conducted on how and why this voting pattern occurred. It would help our functioning. To say that the overwhelming majority of the respected leaders of the Janata Party came from a particular region

[Shri J Rameshwara Rao]

and hence they had a greater impact in that region is a very superficial reading of the situation. Shri Jayaprakash Narayan is not a regional leader—he is an all-India leader who is greatly respected all over the country. The Chairman of the Janata Party now the Prime Minister is not a regional leader. He has been one of our colleagues, and yet in his own State the verdict was divided. It was a mixed verdict. All these indicate the need for a careful study but I do hope that in this process of study and analysis there will be no mud-slinging or recrimination.

The President's Address Mr Chairman, lists a series of Acts that have to be annulled or amended. There is a reference to proposed constitutional emendments including the repeal of the 42nd Amendment. We shall wait to see the Bills in their final form and shape before we give our reactions. There may be areas in which we would support the Government because we are sensitive enough to the verdict of the people but there may be other areas which do not stem from the verdict of the people and there we may have to disagree with Government proposals. Each Bill and each clause will have to be evaluated and considered on its merits. While there will certainly be no blanket opposition to the Government's proposals there can be no assurance of blanket support. I hope this will be understood as a fair and constructive approach.

I shall not at this juncture go into details except to say that after 30 years of independence we seem to be moving towards a healthy two-party system for the first time. This augurs well for stability, democracy and progress. But the very emergence of a two party system imposes its own limitations and logic on the functioning of both Government and the Opposition. Neither the Government nor the Opposition can go even a little outside the realm of practical

responsible functioning. We cannot vie with each other in the promises we make to the electorate which on the face of it may be unrealistic and may lead to economic, financial or social disorder. I was amazed that yesterday the hon. Finance Minister spoke of cutting back on investment. How can one cut back on investment and eradicate poverty in ten years? But I agree that the investment should be judicious. Fresh investment should not lead to inflationary pressures. Fresh investment should be such that the returns from it are quick. That is the gestation period on capital projects has to be short. Projects chosen have to yield results quickly. I will give you one example—oil exploration. The investment in oil exploration is high and yet you will be interested to know that the amount invested in oil exploration comes back to us in 12–18 months. The gestation period is short. I am only citing this as an example. At the same time Mr Chairman, we cannot and should not initiate or advocate policies that may lead to either a wage-push or cost push inflation. This country cannot afford it.

There would have to be some areas where we would have to evolve a bi-partisan policy by mutual discussion and consultation between the Hon'ble Ministers of the Government and if I may use the British phraseology the Members of the Opposition's shadow cabinet. Obviously foreign affairs is one such field. I am happy to see that there is a reference in the President's address wherein non-alignment is accepted as the policy of the new Government. That is what I mean by a bi-partisan policy. The other field that readily comes to my mind is education, especially campus discipline and student behaviour. These are fields where there can be, in India's present stage of development, very little difference of opinion. There may be other areas too, but this will be possible only if there is mutual trust and confidence and, as I said earlier, shared ideals and objectives. With these comments, and

subject to the qualifications I have made, I support the Motion of Thanks to the President

श्री यादवेन्द्र दत्त बुवे (जोनपुर)
अधिष्ठाता महोदय, मे भाप का बड़ा आभारी हूँ कि कम से कम आप ने मुझे अन्त में समय दिया, अभी तो 20 मिनट बाकी है

एक माननीय सदस्य अभी तो 6 वजे तक बोलेंगे, आप बोल सकते हैं।

श्री यादवेन्द्र दत्त बुवे हमारे पार्लियामेन्ट्री प्रेसर्स के मिनिस्टर महोदय को हम लोगों को बताना चाहिये था, लेकिन उन्होंने हम इतना बताने की कृपा भी नहीं की। मैं उस में नहीं जाना चाहता हूँ।

अधिष्ठाता महोदय, मैं बड़े स्थान से विरोधी दल के नेता का भाषण सुन रहा था। मुझे आशा थी कि जो व्यक्ति वहाँ महाराष्ट्र के मुख्य मंत्री रहे, भारत सरकार की हर एक कुर्सी पर आसीन रहे और डेमोक्रेसी का हम भारत रहे, डेमोक्रेसी की यह परिपाटी है कि जब आप कुछ कहें तो उस का उत्तर सुनने के लिये आप भी उपस्थित रहें, कम से कम मुख को तो डेमोक्रेसी के बारे में यही बतलाया गया है, परन्तु मैं समझता हूँ भाष्य लोक सभा की ओर उन की डेमोक्रेसी के अन्दर जिस में एमर्जेंसी के दौरान लोगों को ठूस-ठस कर जेलों में बन्द किया गया, दूसरी की बातें सुनने का कष्ट भी गवारा नहीं दिया जाता।

मैं तो बातें उन के भाषण में सुन पाया—एक तो उन का अरण्य-रोदन, बार-बार रोये की एमर्जेंसी हमेशा के लिये उत्पन्न हो गई, एमर्जेंसी कायदे के दमन का नहीं है, लेकिन वे रोये चुनाव के बाद, चुनाव में पिटाई का बाद। इनके नामरत्ना मवी के, वे हाथ जोड़-जोड़ कर जनता से माफी माग रहे थे, लेकिन जनता ने उन की क्षमा नहीं

किया। वास्तव में पिटाई के बाद उन को दुःख ज्ञान पैदा हुआ। जिस ज्ञान को सम्मान का ज्ञान कहा जाता है, जो सम्मान में जागता है, जब चिन्ता जलती है तो ज्ञान हो जाता है, लेकिन जब चिन्ता बुझ गई तो ज्ञान भी समाप्त हो जाता है।

दूसरे अरण्य-रोदन पर मुख का दया आती है—उन्होंने तोबा बो—मैं जूँ का शब्द प्रयोग में ला रहा हूँ—जिस तरह से गुनहगार ताबा करता है, उसी तरह से विरोधी दल के नेता न भी तोबा की है। बार-बार उन्हाँ कहा कि मैं कार्यस के भूत को छोड़ दो, क्यों हमारे सिर का भूत अपने सिर पर लादे हो। मैं, अधिष्ठाता महोदय, इस पर उन की बधाई देता हूँ—गुनहगार जब तोबा कर ले, तो मुक्ति तो नहीं हो सकती, लेकिन दया का पाव अवश्य हो सकता है। इस देश में, अधिष्ठाता महोदय, तोबा करने की जो पद्धति है, जिस का हिन्दी में प्रायश्चित्त करना कहते हैं, उस का हिन्दुस्तान में दो ही स्थान है—या तो हिमालय की गुफाओं में या त्रिवेणी की बालू पर। तीसरा स्थान प्रायश्चित्त का नहीं है। वृत्ति इन्होंने स्वीकार कर लिया है—इस लिये, अधिष्ठाता महोदय, अब मैं उन के गुनाहों की ओर नहीं जाता हूँ। उन्होंने एक बात ऐसा कहा जिस पर मुझे बड़ी हसी आई। उन्होंने जनता पार्टी का बारे में कहा कि यह मौन जानवर है। कौन जानवर है, इस के बारे में मेरे से पूर्व बक्ता ने बता दिया है। श्री कवर साहू गुप्त जी बोले तब उन्हें पता चला कि जनता पार्टी क्या है और जब श्री कवर साहू गुप्त जी बोल रहे थे तो उन्होंने कहा कि पहले भूतत्वशास्त्र के एक परसेप्ट बोट मिशनेर थे लेकिन अब के इलैक्शन में 99 परसेप्ट बोट मिश्र और कहा कि यह जनता पार्टी की बोट नेचिंग डिवाइस थी। मैं एक प्रश्न पूछता हूँ कि अगर चार या पांच पांच दल अपने को समाज कर के एक मग्निलिड विचारधारा

[श्री यादव-दत्त दत्त दुबे]

का से कर एक नया दल बना लिये हैं तो इस में गुनाह क्या है । आज अपनी नीति को विराधी दल वाले भूल गये हैं । उन्होंने सी० पी० आई० के साथ फेरल से ले कर भारत व दूसरे प्रान्तों में जा गठजोड़ कर रखा है वह क्या है ? वह तुम्हीं केचिस डिबाइस नहीं है तो क्या है ? और किस सी० पी० आई० व साथ इन्होंने गठजोड़ किया है । उस व साथ, जिस व बारे में इन के प्रेसिडेंट महोदय बहुत भी और इन्वेन्शन के भाषणा से उन्होंने य, बात कहा कि यह जनरिप्रेटेशन एतार्ड है, अविबरमनीय मित्र है । ऐसे अविबरमनीय मित्र व साथ इन्होंने गठजोड़ किया है । यह इन की कुर्सी रेचिंग डिबाइस है और मुस्लिम लीग व साथ इन्होंने गठजोड़ किया है और वह इन की कुर्सी के साथ थोट केचिंग डिबाइस है । मुझे हिन्दी की एक कहावत याद आती है उल्टा चार कोतवाल का डाटे" । आज व लीग इन्होंने गुनाह किया है, जनता पार्टी को यानी कोतवाल की डाट रह है ।

अधिष्ठाता महोदय, मैं उप-राष्ट्रपति महोदय का आभारी हूँ उन बातों व लिए जोकि उन्होंने अपने भाषण में कही हैं परन्तु कुछ बातों की धोर में सरकार का ध्यान आकृष्ट करना चाहता हूँ । इस देश में जो अन्धाय धोर प्रतिबोध की भावना रही है, उस को देश के किसानों ने 30 वर्ष तक सहा है तकिन 30 वर्षों के बाद उन का समय टूट गया । 30 वर्षों तक यह किसान ठगा गया है । मैं ज्यादा उदाहरण नहीं देता धोर प्राकटो के जाल में नहीं जाता । कन हमारे भूतपूर्व वित्त मंत्री जी जब बोले रहे थे, तो मुझे बड़ी हसी आ रही थी । उन्होंने कहा कि हम ने एक्सपोर्ट बहुत बढ़ाया है । यह बताना ने भूल गये कि इन्डस्ट्रियल एक्सपोर्ट फिनियड प्रोडक्ट्स का बड़ा है या रा-मैटीरियल्स का बड़ा है । यह सिर्फ कोकोनिकल एकोनापी है । ऐसा कहना

इन को आभा नहीं देता । इस के बारे में एक उदाहरण दे सकता हूँ धोर वह चमड़े का है । "चमड़ा आज भी हिन्दुस्तान में रोमानिया धोर बुल्गारिया को बेजा जाता है जबकि हम यहाँ पर उस चमड़े से जूट धोर वेस्ट-काट्स आदि चमड़े की चीजें बना सकते हैं । यह उन की अपनी सिध्दा प्रगता है ।

रूपि के बारे में भी उन्होंने अपनी प्रगता की है और कहा है कि हम न किसानों के लिए बहुत काम किया है और रूपि पर बहुत ज्यादा पैसा खर्च किया है । अगर आप भारत सरकार धजट को देखें तो कबल 13 परसेंट रूपि पर पैसे पट्टे हुये हैं । जनता पार्टी न किसानों में बायदा किया है और मैं सरकार का ध्यान उस धोर आकृष्ट करता हूँ क्योंकि देश का किसान जाग गया है और अब उस की आभाषा व माप जिनबाद नहा किया जा सकता धोर उस की उपसा गही की जा सकती । मैं जनता पार्टी की सरकार से स्पष्ट कह देता हूँ और जनता पार्टी के निनिदरस से भी स्पष्ट कहता हूँ ।

You cannot take the peasants of India for granted now.

क्याकि वह जाग गया है । हम में बायदा किया है कि जनएकोनामिज हालिडस पर कषान समाप्त होगा । भूय, आशा थी कि उस के बारे में सरकार की धोर स कुछ धाना चाहिए था । यह कहा जाएगा कि यह प्रान्तीय विषय है लेकिन जो स्टेट्स प्रेसिडेंट फल के अन्तर्गत हैं, उन के लिए तो यह किया ही जा सकता है । जो आप के अधिकार में है, उस के लिए आप कदम उठाए ताकि देश के बाकी लोगों में विश्वास पैदा हो ।

एक दूसरी चीज जिस की तरफ मैं सरकार का ध्यान आकृष्ट करना चाहता हूँ वह यह है कि आज तक किसानों को उस

के प्रोडक्शन की अनएकोनामिक प्राइस दी गई है । उदाहरण देता हूँ । जब गेहूँ सौ रुपये और सबा सौ रुपये क्विन्टल था तब खाद 52 रुपये बैग था । जब किसान से गेहूँ मीसा के बल पर 95 रुपये क्विन्टल बमूल किया गया तो खाद का दाम 105 रुपये बैग है । यह है समाजवादी सरकार की समाजवादी कार्यवाही का नमूना । अधिष्ठाता महोदय, आप जगह जगह पर साइन बोर्ड पाएंगे । आप मोटर से ट्रेवल करने के लिए निकल जाए । आप जगह पर नगरपालिकाओं और यहाँ-जगहपालिकाओं के बोर्ड सवे पाएंगे जिन पर लिखा होगा कि नगरपालिका आपका स्वागत करती है । स्वागत कैसे होना चाहिए ! स्वागत में कोई जलपान हो, पान खिलाया जाए, छाती यह न हो साइन बोर्ड लगा दिये जाए । इसी तरह अधिष्ठाता महोदय, जगह जगह पर शम्भे गल्ले की दुकानों के साइन बोर्ड लगे हुए हैं । वहाँ गेहूँ विकता है 135 रुपये, 140 रुपये क्विन्टल । तीन-चार महीने पहले 95 रुपये क्विन्टल में जो गेहूँ खरीदा गया उसी पर यह समाजवादी सरकार, गरीबों की समीक्षा सरकार 40 रुपये क्विन्टल का मुनाफा मार रही थी । क्या समाजवाद में प्रोफिट मोटिव होता है ? समाजवाद का तो पुरातन सिद्धांत यह है कि रोटी के ऊपर कोई मुनाफा नहीं होना चाहिए, नो प्रोफिट, नो लोस, लेकिन यह सरकार उस पर इतना मुनाफा कमा रही थी । बनिया घगर दो रुपये क्विन्टल मुनाफा मार से नौ डी० धाई० मार० और भीता में बड़ कर दिया जाए । समाजवादी सरकार 40 रुपये क्विन्टल मुनाफा कमावे तो हमारे बिज मंत्री डोन पीटें कि हमारी ये मन्त्रीबन्धन हैं ।

किसान को क्या मूल्य मिलना चाहिए, यह बहुत बड़ा प्रश्न है । दुनियाँ में हर देश में येन बोर्ड है । परोक्षद्वारा प्रत्यक्ष कि उसे कम से कम मूल्य में भाव मिले,

सरकार चाहती है कि उसे भी कम से कम दाम देना पड़े और उत्पादन करने वाला चाहता है कि उसे उस के उत्पादन का अधिक से अधिक मूल्य मिले । अगर एक ग्रेन बोर्ड ही जाए तो ये सारी समस्याएँ सुलझ सकती हैं । समाजवादी सरकारों में बड़ी आदत है कि वे हर जगह कूदती हैं । हमारे यहाँ एक देमी कहावत है कि "विच्छू का मत न जाने साप के बिल में हाथ छोड़ दें" हमारे यहाँ ग्रेन बोर्ड हो । उस बोर्ड में इकोनोमिस्ट्स, एग्रीकल्चरिस्ट्स, बैंकर्स सदस्य हों । गवर्नमेंट का भी एक नोमिनी हो । उसका चेयरमैन एक इजीपेंडेंट जज हो । कृषि में जितने इन्सुट लगते हैं, जिनका लेबर लगता है, वह सारा कैलकुलेट करके, सारा हिसाब लगा कर, वह बोर्ड गेहूँ का आर्थिक मूल्य, गेहूँ का सही प्राइस डिक्लेयर करे और सरकार को बाध्य हो कर उस दाम पर गेहूँ खरीदना पड़े । सरकार हमेशा परचेजर रही है और स्वभावतः वह माल कम दाम पर खरीदना चाहती है । हमने किसान की रोड़ की हड्डी तोड़ दी है ।

अधिष्ठाता महोदय, पानी का हाल देखिए । मैं अपने भूतपूर्व बित्त मंत्री का भाषण सुन कर हलने हमत पाठ गया । उन्होंने अपने भाषण में निचोई की बहुत बात की । निचोई तो हमारा भाज भी यह है कि तीन चर के बाद भी हिन्दुस्तान की खेती आसाम के पानी के साथ बूझी हुई है । इन्होंने पानी मात्र एक बरसात कहा । मात्र भी पानी ऊपर से आता है तो खेती अच्छी होती है । भूगर्भ में पानी निरावत है । यह कुछ नहीं किया ।

अधिष्ठाता महोदय उत्तर प्रदेश में भी बाढ़ों की सरकार है । उन्होंने इण्डियन बरसात । ये बहुत है कि बाढ़ पानी निम्न या न जितने लेविल 21 रुपये प्रकट दिया जाए । यह तो ऐसा दुष्प्र कि किसी मेन्डोरेट में या रत्ने रत्न पर

[श्री यादवेन्द्र दत्त दुबे]

जाए और वह कि काफ़ी लाभो तो इस पर बड़ा जाए कि काफ़ी धाप या न धाप लेकिन तुम पैसा देकर चले जाओ। यह कैसा समाजवाद है? यह तो लूटमार हो रही है। कमान एरिया के मायने है कि पानी दो। अगर पानी नहीं दे सकते तो उसका चार्ज लेने का आपको कोई अधिकार नहीं है।

अधिष्ठाता महादय, मैं पूर्वी उत्तर प्रदेश से आता हूँ। वहाँ किसानों को रात को 12 बजे बिजली दी जाती है। मैं हाथ जोड़ कर एक ही निवेदन करूँगा कि ये जितने भी भूतपूर्व मंत्री हैं वे मेरे साथ चले और अति पोष और भाष में एक लगेटी लगा कर, बनिमान पहिन कर जरा पानी छोड़ दें। दो दिन में अगर बिना ये मरे हुए लोट आए तो मैं राजनीति से इस्तीफा देने के लिए तैयार हूँ। निश्चय ही इनको निर्मोर्तिया होगा। वहाँ पर तो आप रात बारह बजे बिजली देते हैं लेकिन दिन में बिजली आप किस को देते हैं? सिनेमा हाउसिस को देते हैं। अगर दिन में कोई सिनेमा नहीं देखता है तो उसकी बजह से देश मर नहीं जाएगा। लेकिन रोटी अगर देश को नहीं मिलती है, लोगो को नहीं मिलती है तो देश अवश्य मर जाएगा, लोग अवश्य मर जायेंगे। इस वास्ते मेरी आप से अपेक्षा है कि आप बिजली दें, समय से दें, दिन में दें और इकानोमिक रेट पर दें। रेट अन-इकानोमिक नहीं होना चाहिये, अधाधुन रेट आपको उन में चार्ज नहीं करना चाहिये।

आप ने भूमि पर सीलिंग लगाई। यह आपन बहुत अच्छा किया। भठारू एक्ट की आपने लगाई। यह मैनिमम सीलिंग है। लेकिन आप देखें कि ट्रैक्टर का क्या कीमत है। माउ हूना में वह मिलता है। आप अब बतायें कि अगर कोई किसान ट्रैक्टर ले कर घेती करना चाहता है, इन्सुरेन्स फार्मिङ करना चाहता है।

तो क्या वह कर सकता है क्या वह इतना महंगा ट्रैक्टर खरीद सकता है। अगर वह कम्बाइड हार्वेस्टर लेना चाहता है तो उस की कीमत तीन लाख है। कहा से वह पैसा लायेगा। आप कहते हैं कि आप ग्रुप बना देते हैं और उन के लिये एक ट्रैक्टर हो सकता है। लेकिन आप को पता होना चाहिये कि एग्रीकल्चर हब एन इन्डिपेंडेंट इन्विजुअल सज्जट किस तरह से उन का काम इस तरह से चल सकता है और जितने लोग इस तरह से लाभ उठा सकते हैं। आप देखें कि एक ही समय पर किसान को इसकी आवश्यकता पड़ती है। इस वास्ते आप को चाहिये कि एग्रीकल्चरल इम्प्लोमेंट्स के काम आप सबसिडिज कर, इन को आप भटायें।

मैं यह भी मांग करता हूँ कि आप एक कंट्रोल इनश्योरेंस हाना चाहिये भावनी का आप करते हैं, अच्छी बात है, मुझे के बपड़े का भी आप करते हैं लेकिन देश को जिस पर गर्व होना चाहिये, जो देश को खिलाता है उस की उपज का आप इनश्योरेंस नहीं करते हैं, जीवन के लिये जिस भूल की आवश्यकता है और जो उस को पैदा करता है, उस की उपज का आप इनश्योरेंस नहीं करते हैं उस को खेती पर आपत्ति आती है, पत्थर और पासा गिर जाता है, उस की खारी फसल नष्ट हो जाती है उस का आप इनश्योरेंस नहीं करते हैं। यह समाज वादी सरकार उस को कर्ज देती थी, तकावी देती है। जिसका सर्वनाश हो गया उस का कर्ज दे कर आप उस की रीढ़ को बना रहे हैं या उस को तोड़ रहे हैं? कर्ज से उस की क्षतिपूर्ति नहीं हो सकती है। इस कर्ज को भगवो फसल पर सेते देते वह मिट जायेगा। इस प्रकार से गरीबी नहीं हटाई जा सकती है। गरीबी हटाओ का नारा तो दिया गया था लेकिन

डेड मादमी की गरीबी ही भारत में हटी थी। बाकी देश गरीब है। अगर आपने क्षतिपूर्ति करनी है तो कंटस और क्राप की इनश्योरेंस करें।

आप ने कहा है कि रूरल बैंडिट बैंक होने चाहिये। एक भी रूरल बैंक किसान को हरी खड़ी फसल पर एडवांस नहीं देता है। किसान क्यों मारा जाता है? इस वास्ते कि उस में रिटर्निव पावर नहीं है, आर्थिक पावर नहीं है आर्थिक शक्ति उस में नहीं है? बैंक कपड़े की ग्रास पर एडवांस करते हैं। मोटर पर करते हैं लेकिन किसान की हरी खड़ी फसल पर एडवांस नहीं करने हैं। यह होना चाहिये ऐसा आप ने किया और उस को एडवांस किया तो कोई बाधा नहीं होना। किसान की स्थिति इस से ठीक होगी।

आप परिवार नियोजन को ले। एक वक्त था जब आशीर्वाद दिया जाता था भवैत माता पच पुता लेकिन इस समाजवादी सरकार द्वारा यह आशीर्वाद दिया जाता है भवैत माता निपुता। किस प्रकार से परिवार नियोजन को ले कर लोगों के साथ जवाबदारी की गई है इसका मैं आपको एक उदाहरण देना चाहता हूँ लखनऊ में अभी एक प्रठारह वर्ष का नवयुवक बलिष्ठा से नौकरी की तलाश में आया। उस के बारे में जो खबर छपी है उस की कटिंग मैंने स्वास्थ्य मंत्री श्री राज नारायण को दे दी है। वह बेचारा स्टेशन पर उतरा। नौकरी उसको किसी ने दी नहीं, उस के लिये उस की किसी ने पूछा नहीं, उस को ले जा कर बैस की तरह बधिया बना दिया गया मैं एक डिग्री कॉलेज का अध्यक्ष हूँ। कितने ही सर्क्यूलर मेरे पास रखे हैं इस के बारे में जो गवर्नमेंट के सर्क्यूलर है। उन में यह कहा गया है कि मास्टरो की तनख्वाह

रोको, उन को सस्पेंड करो और अगर फला तारीख तक नसबन्दी नहीं कराते है तो डिसमिस करो। यह खबरी नहीं थी तो क्या था? चुनाव के एक महीने पहिले तक इन वा रेडियो सही समाचार नहीं देता था। इन के रेडियो को हिन्दुस्तान के लोगो ने कहा था कि यह रेडियो झूठीस्तान है और उस पर कोई विश्वास नहीं करता था। मेरी गर्दन शर्म से झुक जाती थी जब मैं लोगो की बात को कहते सुनता था कि सही खबर लेनी हो तो बी० बी० सी० को सुनो। यह सज्जा की बात है और पिछली समाजवादी सरकार ने हमारे अपने ही पर भविश्वास करवा दिया।

मुजफ्फरनगर से ले कर मुल्तानपुर तक जिन हजारो लोगो को गोली से उड़ा दिया गया उस बारे में मान्यवर हम ने माग की थी कि उस की जांच कराई जाय। उन लोगो का जूम क्या था? जूम यह था कि वह हिजडा बनने के लिये तैयार नहीं थे। और हमारे गृह मंत्री जी के पास हजारो लोगो के स्वर्नि स्टेटमेंट रखे हुए है उन लोगो के जिन के रिश्तेदार मारे गये है। जब गृह मंत्री जोनपुर में बोल रहे थे तो उन्होंने कहा था कि हम इस की जांच करायेंगे और जो भी दोषी पावे जायेंगे उन को दंड देंगे। मेरी माग है कि उस बारे में जांच होनी चाहिये। सरकार से मेरा विनम्र निवेदन है कि आप जांच कमिशन बंटाया दंड दो या न दो यह आप की मर्जी लेकिन जहाँ भन्याय हुआ है उस की जानकारी लोगो को होनी चाहिये और उस भन्याय का पर्दाकाश समाज के सामने होना चाहिये। मुल्तानपुर और बधुभाकला के बीच मैं ने स्वयं फायरिंग देखी है और 9 लाख गिनी है। मृत्यु लोगो ने आशितो को कर्भनसेशन मिलना चाहिये। यह ठीक

[श्री यादवेंद्र दय दुबे]

है रिजिम की घोरत विपदा हो गई या जिसका पुत्र मारा गया उस का वैधे ने सुख भिनन वास्ता नहीं है। लेकिन यह संभव है कि उन का एक घामू हम पूछ सकत हैं।

दूसरा मेरा निवेदन सरकार से यह है कि भ्रष्टाचार की जाच हानो चाहिये। मेरा निश्चित मत है कि भ्रष्टाचार करार न आता है नीचे से नहीं आता है। मैं यह जानना चाहता हूँ कि नागरवाला बाड इसी दिल्ली नगरी में हुआ और मुझे धारण्य है जिस मंत्री जो भगर यहा होते तो उन में पूछना क्या घाप एक भी पैसा बैंक से टेनीकोन करारर भगवा सकत हैं? 60 लाख रुपया निकल गया क्या उस की जाच हुई। मैं स्पष्ट मांग करता हूँ कि उस की जाच होनी चाहिये। बानून में सब बराबर है बाहू यह किनना हो कया हो या नीचा हो।

मान्यवर अभी मुख्य मंत्री की बात हुई मैं जितने मंत्री बुताऊ उत्तर प्रदेश के जिन के भ्रष्टाचार के स्पष्ट प्रमाण दिने गय और मैंने स्वयं नेता विरोधी दल के रूप में प्रमाण दिव, माननीय उद्यमन जो जानत हैं एक मंत्री ने 40 गांव उचै करवाय गाजीपुर जिल में और उन पर 40 लाख रु० खच हा गया। रेवन्यू पेंपर्स में जब देखा जाने गया था। गांवों का पता ही नहीं चला। मान्यवर, इस दश के अन्दर दो बहुत बड़ी मजहूर थी एक दिल्ली की और एक लखनऊ की। क्या जाच हो रही है? क्या लखनऊ में बाजरा काड नहीं हुआ? लेकिन कोई जाच नहीं हुई। भ्रष्टाचार का जाच बड लोगों की होनी चाहिये। भाप न दो रु० पर एक पचरासी या बाबू की उठाकर रुक दिया इस से कुछ

नही होता। जो बडे बडे मयरमन्ड है घोर में उन व नाम तक गिना सकत। हूँ उन के खिलाफ जाच होना चाहिये। भाषति काड को ही ल व। जो प्राणी भागर कम्पनी नहा चला सका वह हमारे सामने बैठे श्रीमान योगा के बच्चों पर बड बर दश का युवराज बन रहा था और इन की जवान पर ताता लगा था जैम पोरब दरबार में लोगों की उवान पर ताता लगा था। ती मान्यवर मैं मांग करता हूँ कि एक कमोशन बढाया जाय जिम में बडे बड लोगों के खिलाफ करणन की जाच हा।

शिक्षा के बारे में मुझाव द रहा हूँ। हमारे शिक्षा मंत्री डा० प्रकाश चन्द्र बन्दर ने घत लिखा है कि व देश के अन्दर भागरता लागे में उमता स्वागत करता हूँ। मेरा मुझाव यह है कि गा तरना 'गाने व रिड बहुत दैले की जरूरत नहीं है। धाज दश में बहुत मे शिक्षाविद एस है जा रिगवड योग है जिनका पणन दी जा रही है। उनको काम चाहिये हम उनसे करवड प्राचना कर कि धाज देश में क्रान्ति हो रहा है जिसक बन पर दश धाप बड रहा है दश की 30 वर्ष की बमियो को 5 बप मे पूरा क्रिया जा रहा है। धाप उम क्रान्ति में हमारा माव द और बच्चा को शिक्षित करे। हरक रिगवड सम्पापक को निवेदन कर कि भाई जाने वा साधन द देगे और धाप काम करे। साभगता के रिये बहुत बडे साइन्सडा और बिल्डिंग का जरूरत नहीं है। मेरा मुझाव है कि जितने रिगवड परतोनन इम दश के हैं उनका उपयोग साधरता के नि। किया जाये।

हमारे विराधी दल के नेता ने बड और मे कहा कि हिन्दुस्तान को इमेज न बिगाडिये। मैं साफ तोर पर कहना चाहता हूँ कि जनता सरकार हिन्दुस्तान की इमड को किमी सीमत पर बिगडन नहीं दपी। हमारी सरकार का परम उद्दय है— परम बमव नेउनेतव

स्वराष्ट्रम्" । हमारा राष्ट्र परम वैभवशाली है, इसकी इमज नहीं बिगाड़ी जा सकती है । मैं इस बारे में दो उदाहरण देना चाहता हूँ । मैं जानता चाहता हूँ कि इस इमजेंसी के दौरान पाषाणयुग अखबारों में हमारी क्या इमेज बनी है, इसका उत्तर खुद माननीय चव्हाण दें । हमारे विदेश मंत्री विदेशों में जाकर बाहर हर एक जगह पात्र लेकर घूमते रहे कि भिक्षाम देहि, भिक्षाम देहि । जनता सरकार भिक्षा नहीं मांगती है ।

अगर हमारे सुरक्षा मंत्री यहाँ होते तो मैं उनका ध्यान आकृष्ट करना चाहता था कि हमारी सुरक्षा पर भी बड़ा भारी गैप हो गया है, जो कि मिस्त्राइल गैप बन गया है । मैं किसी देश का नाम नहीं लेता हूँ कि यह मिस्त्राइल गैप किस कारण से बन गया है और इसका कौन जिम्मेदार है । हम जानना चाहते हैं कि क्या हमारे देश की सुरक्षा साठी और धी-नाट-धी की राइफल से होगी । क्या हम अपने बहादुर सैनिकों को पुराने अस्त्र देंगे ? उनको आधुनिक अस्त्र चाहियें । हमने मिस्त्राइल देन से इन्कार कर दिया है । मैं देश का नाम नहीं ले रहा हूँ, लेकिन इशारा कर रहा हूँ । मैं चाहूँगा कि जिपेंस मिनिस्टर यह घोषणा करें । मुझ से अधिक खुशी किसी को नहीं हो सकती इस देश में अगर मिस्त्राइल गैप को दूर किया जा सके ।

सिक्कोरिटी की दृष्टि से आपने अखबारों में देखा होगा कि दिल्ली के लैफ्टिनेन्ट गवर्नर के पी० ए० रोम भागने के लिए बम्बई भाग कर जा रहे थे । क्या यह दाढ़ी में तिनका साबित नहीं कर रहा है कि उसमें क्या था ? मैं इस सरकार से मांग कछ्मा कि जितने नेता या भूतपूर्व महापुरुष हैं और जितने अधिकारी दोषी हैं, जिनकी जाच होनी है, उनके पासपोर्ट को इम्पाउंड करे और उनको इस देश से बाहर जाने की आज्ञा नहीं मिलनी चाहिए ।

फारेन पालिसी के बारे में मैं सुझाव देना चाहता हूँ । हमारी फारेन पालिसी नान-एलाइन्ड है, यह बहुत अच्छी है । लेकिन कही यह न बन जाय कि मज से अच्छी फ़ैलेसी भती । हमारा राष्ट्रहित दोना सुपर पावर के बीच में है और उन दोनों के बीच में हमको अपना राष्ट्रहित देखना चाहिये, इसमें हमें किसी प्रकार की आपत्ति नहीं है । हम अपनी अन्तराष्ट्रीय राजनीति सिद्धान्तों और राष्ट्र-हित पर आधारित करेंगे ।

अन्त में सभापति महोदय आपसे और आपके माध्यम से अपने माननीय आवास मंत्री से मैं निवेदन करूँगा कि जनता पार्टी को जनता ने किसी उद्देश्य के लिये भेजा है, कानून के लिये भेजा है और जबरदस्ती के लिये नहीं भेजा है, कोई कानून से मराना भागता है और दूसरा कोई जबरती घुस जाये और आप बहें कि क्या करें, तो यह नहीं चलगा । आवास मंत्री को इस पर ध्यान देना चाहिये कि नो फ़रदर फ़ेवरिटिज्म और पार्श्व-लिटो ।

इन शब्दों के साथ मैं श्री कपूरी ठाकुर द्वारा रख गये धन-वाद-प्रस्ताव का समर्थन इस लिए करता हूँ कि जितने बंदम उठे हैं, वे हेसिटेटिंग हांग, लेकिन वे पहने कदम हैं । यह सरकार प्रान्तिकारी सरकार है, क्योंकि यह जो चुनाव हुआ है, वह रिक्वेल्यूगन बाई दिवैलद बाक्स है, इसलिए इस प्रान्तिकारी सरकार के एक्शन डिसाइसिव, डफिनेट और बोल्ड होने चाहिए—वे किसी की इच्छा व प्रसन्नता पर निर्भर नहीं होने चाहिए ।

SHRI O V ALAGESAN (Arko-
nam) I congratulate the framers of
the Address for its brevity and also for
its tone of restraint I feel that it could
have contained louder denunciation but
has shown restraint and has not indulg-
ed in any denunciation. After seeing

[Shri O V Alagiasan]

the verdict of the people and hearing the representatives of the Janata Party here who have told us the tales of woe during the emergency one feels really repentant and sorry. The story of the gentleman who cried "Jai Narayan" and was put in jail because he was suspected to be sympathetic to Shri Jai Prakash Narayan is an extreme case. Many such cases might have happened. It has to be conceded that excesses were committed during the emergency and that they hurt the people very much. If it means anything I would like to tender sincere apologies for what has happened during the emergency.

When it was conceived, it was like dieting prescribed for a patient overtaken by disorder but as it proceeded, it began to eat the very patient whom it sought to save, namely democracy. It was like the revolution eating its own children. In fact, the people who ran the emergency became its first victims rather than those who suffered from it for this reason that they were not kept fully informed of what was going on and the nature of the emergency in the country.

1712 hrs.

[Shri S D Patil in the Chair]

We have to expiate for it do prayaschitta for it. Babu Jagjivan Ram has expiated in a particular way, those who were defeated at the hustings have expiated in a different way, and those who have been elected will also have to perform prayaschitta, I have it will be parliamentary tapas charyas.

I commended the restraint shown in the Address of the President, but I am sorry to say that the speeches of the Members from the Janata Party did not show much of restraint. Perhaps this is the initial period and they will get over this feeling soon. The Janata Party has certainly made history by unseating the Congress which has ruled this country for over 30 years and by forming a viable Government at the Centre for the first time but I would like to submit that the

Congress Party also, in its hour of defeat, has made history because it has provided for the first time in 30 years a viable official Opposition. You will agree that both the Government party and a viable Opposition party are needed to work our democracy.

In their euphoria of victory, many Members seem to have lost—lost on the other side—their perspective and balance. They have condemned the entire Congress rule spread over the past 30 years. What does 'his mean'? Does it mean the condemnation of all that happened under Pandit Jawaharlal Nehru, Lal Bahadur Shastri and Indira Gandhi before the emergency was ushered in? Do they condemn everything? It means much more than that. It means you condemn the verdict of the people which has been delivered five times, that is, in 1952, 1957, 1962, 1967 and 1971. You condemn the five successive verdicts of the people and are to prepared to approve only the sixth verdict. Please do not mock at people who have returned you to take over the reins of Government in good faith.

Democracy is vindicated not only when it acts in a negative way that is when it unseats a government which it has itself put in power but also when it acts in a positive way that is, when it confirms a government in the seat of power for a second time. How a peaceful change has occurred in the Government without shedding any blood anywhere, without any violence! So, when democracy change the Government that it has put in power, it must be appreciated. I would plead that it has to be appreciated even when it confirms the party in power for a second time.

The Congress Government had not been in power for the past 30 years by means of false credentials. We are heirs to a non-violent revolution under Mahatma Gandhi who won freedom from foreign domination for his ancient country. There are some Members on the other side who also are heirs

to the non-violent revolution which got freedom for the country. Please do not forget the present Prime Minister was part of the Congress and had contributed to the Congress history as my leader mentioned some time ago until the year 1969. Please do not forget that Babu Jagjivan Ram was part of the Congress and whatever had been done before Independence and after independence, until the crucial day of 2nd February 1977. So also several others in Government who are sitting in the Government benches, were part of the Congress and they contributed to the achievements of Congress and the service that was rendered by the Congress Government to this country. So I would humbly appeal to the Members on the Government side please do not stand self-condemned by condemning indiscriminately all that has happened in the past.

Now, I am coming to a subject which is rather delicate that is the subject of interpreting the recent verdict of the people. My friend Mr C Subramaniam, said something and he was almost mauled by the House. My friend Mr Rameswara Rao, was much more fortunate. He couched his speech in a very diplomatic language and he was listened to with attention. So I should say something and I shall crave your indulgence so that you need not mistake me. I am not saying this out of parochial consideration. Our background has not been parochial, it has been national. So please do not misunderstand me when I say this. The Address speaks of the democratic process. The wind that blew it was not one wind, there were two winds. Perhaps I can compare it to the south-east monsoon and the north-east monsoon country. They blew in contrary directions, about which my friend Shri Rameswara Rao has spoken, and the dividing line has been the old dividing line of the Vindhya mountains. There are many periods in Indian history when, due to stress and strains the basic Indian culture has

had to cross the Vindhya mountains and take refuge in the southern part of India. I am reminded of a similar thing happening to the nationalist culture of this country and I am tempted to say that it was forced to cross the Vindhya mountains and take refuges in the southern part of India.

But one thing is clear and let us not run away from that fact. The Government of the day I am sorry to say is not representative of the entire country and the Opposition of the day is also not representative of the entire country. This is a very serious situation a situation which I would almost call a vicious situation. It is a situation which is pregnant with mischief and it is in the national interest that all of us should put our heads together and try to find a solution for this vicious situation.

The Address speaks of extra-constitutional centres of power. I believe the reference is quite obvious. I would like to ask the Government side to place their hands on their hearts and tell me whether there are no extra constitutional centres of power operating now. What about the election of the Leader of the Government itself? Was it arranged or was it arrived at by the Party on its own? There were certain extra-constitutional centres of power which advised the Government Party to choose a particular person as its Leader. I don't deny it and I don't disapprove of it. What is Jayaprakashji, what is Acharya Kripalani? What is Vinobhaiji and what was Gandhiji earlier? It has been a part of Indian history that extra-constitutional centres of power have been operating. But I would like to ask these extra-constitutional centres of power not to be selfish but to be selfless and to operate solely in the interests of the nation. What I am pointing out is that this idiom has been picked up from somewhere else and copied. Evidently it was in your mind to say that political upstartism should not be encouraged, that it

[Shri O V Alagesan]

should not be clothed without Governmental authority without Constitutional sanction. You would have been more definite had you said that but you used a loose idiom and called it extra constitutional centres of power— which I wanted to clarify may be misleading.

Now the Address says that President's Rule is intended to be imposed strictly in accordance with the objectives mentioned in the Constitution and not for extraneous purposes. This sentence is found in the Address but, I am sorry to say even before the ink has dried you have done something contrary to what you have said in the President's Address. Can the introduction of President's Rule in Kashmir substantiate your contention?

MR CHAIRMAN The Adjournment Motion has been withdrawn.

SHRI O V ALAGESAN I am speaking on the President's Address where this is mentioned. I can refer to it. I do not think there is anything wrong in that.

I beg to submit that the Heavens would not have fallen if you had allowed the Congress Party to form the Government and if it had collapsed under the weight of its own dissensions, then you would have had every right to introduce President's rule there. But you did not have the patience to wait because I am afraid you had the same advisers who advised us to do many things or who are at present advising you, you have succumbed to their advice as we had succumbed to it, at what cost the whole world knows. The moment you had written it even before the ink was dry you did something which was quite contrary to that, your first exercise of authority has been contrary to your own declaration and your own conviction. I am sorry this has happened. Please guard yourselves against such slips in future.

Again the President's Address says

Steps will also be taken to ensure that All India Radio, Doordarshan, Films Division and other Government media function in a fair and objective manner."

Already a very important member of your Party has pointed out an instance where this has not been so. I do not want to rub it in. We all know the way in which the All India Anna D'MK's assurance to the Prime Minister was put on the radio and in a section of the press. Please guard yourselves against such violations, in future, of your own very clearly stated policy. I would not like to put the entire blame on the Government because I feel that some overzealous officials might have been responsible for such distorted information.

Now I come to the subject matter of an amendment which I have given notice of, and that is with reference to the Sarkaria Inquiry Commission in Tamil Nadu. My friend sitting on my left, Shri Hegde, pleaded very eloquently that all misdeeds should be inquired into and that those who had committed those misdeeds should be brought to book. Here is a case where already an inquiry has been going on into the misdeeds of the erstwhile DMK Chief Minister, Shri Karunanidhi, and his colleagues, and this has been going on for the last one year. The Commission was appointed in February 1976 and its term ended on 1st February 1977. They are seized of as many as 27 or 28 allegations of which the Commission was able to inquire into only seven, 21 more allegations still remain to be inquired into. On the inquiry so far conducted the Commission has submitted its conclusions in a report. This report has been placed on the Table of the other House. I would request the Government to place this report on the Table of this House also. This is a very big report, I would not go into the whole thing. I would give you only one or two

samples from the conclusions of the report This is against Shri M. Karunanidhi, the then Chief Minister, this is one of the conclusions of the Sarkaria Commission

"That on 22 9 1971 in pursuance of the aforesaid demand, and imposed arrangement, Shri Karunanidhi, abusing his official position as Chief Minister received through his Private Secretary Vanthialingam, a total sum of Rs 117 273/- from the seven operators including Cambata Captain Krishnan and others, as a motive or reward for doing acts connected with his official functions such as releasing payment of their pending bills in respect of the work done upto 19-9-1971 and for allocating further work at the contractual rate of Rs 11/- per acre etc"

This is an interesting report and the Members will understand it if they go through it what atrocities were committed and corruption was indulged in and that unheard of misuse of official power did take place in Tamil Nadu

I would read another charge

"That Shri Anbil Dharmalingam, acting in pursuance of a pre arranged plan conceived by him in concert with Shri Karunanidhi, the then Chief Minister and by abusing his official position as Minister for Agriculture directly received from the operators illegal gratifications in amounts and on dates noted below, as a motive or reward for doing acts connected with his official functions

(a) Rs. 141 650/- in cash on 11-10-1971

(b) Rs. 41 714/- in cash on 25-10-1971

(c) Rs. 52,076/- in cash on 6-11-1971.

(d) Rs 53,359/- in cash on 25-11-1971

(e) Rs 64 502/- in cash on 23-12-1971

(f) Rs 17 603/- from H P Rao after 25-11-1971

(g) Rs. 16 242/- from P G Dasoor after 25-11-1971

Total Rs 3 87 745/ '

The Commission has given its findings on seven of the allegations that were referred to it There are 21 more allegations Now Sir I have reasons to believe that Shri Karunanidhi's lobbyists are already in Delhi and are haunting the corridors both of Parliament House and the Secretariat so that they can somehow wriggle out of this inquiry and consequences of such an inquiry

Yesterday, we wanted to get an assurance from the Finance Minister that he would continue the Commission of Inquiry and that he would allow the Commission to do its work and complete it What he said was neither discouraging nor encouraging, he has become such an adept in using the language He said If we do something and stop the inquiry, you will have time to agitate about it I would like to plead with the Prime Minister who is presiding over the destiny of this country, known for his rectitude and abhorrence of corruption in public life that this inquiry should be continued and completed It will be highly unfortunate if this Commission is given the go-by I hope and I seek an assurance whosoever will be speaking on behalf of the Government in reply to this debate to this effect. I seek an assurance from the Government spokesman that they will continue this inquiry and allow the Commission to complete its work. Not only that, they should also take action as a consequence of the report of this Commission

[Shri O. V. Alagesan]

Sir, I would like to bring to your notice another matter with regard to a serious lapse that has occurred during the elections in my constituency. The Speaker occupies a very special position. Though in Tamil Nadu the Assembly was dissolved and the Government was dismissed, because of the constitutional requirement the Speaker is still there holding his high office. I am sorry to say that this Speaker who is paid by the Government and who uses Government car and who has paid government personnel to assist him, went about very actively canvassing for the DMK candidate in my constituency. I brought this to the notice of the authorities, firstly to the Chief Election Commissioner and others but I did not get any remedy, and it went on until the election was over. It is highly improper on his part to have done so. In this connection, I would like to quote from the report of the Committee of Presiding Officers. It says:

"The Committee felt that impartiality of the Speaker being an indispensable condition for the successful working of parliamentary democracy, it is essential that the Speaker should sever all connections with the Party to which he might have belonged."

Also the Committee noted the following observation of Dr. N. Sanjiva Reddy, Speaker of the Lok Sabha, on his election as Speaker on 17th March 1967.

"My office requires of me to be impartial and judicious in the conduct of my work. I can assure you with all the force at my command that I will try to live upto this requirement and maintain the highest tradition set by my predecessors. As a necessary corollary to this resolve, I resign my membership of the Party to which I had the honour to belong for 34 years. So long as I occupy this Chair, it shall be my endeavour to

see that all sections of this House get an honest impression that I do not belong to any Party at all."

This is what Dr. Sanjiva Reddy said. The Committee agreed in principle with the Speaker of the Lok Sabha that the Speaker should not belong to any Party.

Now, when this is the opinion of the Committee of Presiding Officers, it is very unfortunate that a Speaker — let alone his not belonging to any Party or severing his connection with any Party—the Speaker of Tamil Nadu has gone to this extent of canvassing actively for a candidate in the elections. Of course, he belongs to the same Party to which the Speaker once belonged. The Speaker belonged to the DMK but, as Speaker whether it was within his propriety to have done it, is a matter I leave to you to judge.

With these few words and subject to my amendment, I support the motion of thanks to the President for his Address.

श्री यमुना प्रताप शास्त्री (रेवा): माननीय अध्यक्ष महोदय, सब से पहले मैं कार्यवाहक राष्ट्रपति महोदय का, हार्दिक धन्यवाद दूंगा कि उन्होंने जनता की सही राह को पहचाना। हमारे देश में आज जो एक समूहपूर्व जनताति हुई है उसकी घोर न केवल हमारे देशवासियों ने बल्कि दुनिया के उन सभी लोगों ने जो साक्षरत म विश्वास करते हैं, केवल ध्यान भर ही नहीं दिया बल्कि उसे बहुत विस्मित हो कर देखा है कि हिन्दुस्तान की जनता ने सही मायना में लोकतंत्र के प्रति अपनी हार्दिक भावना व्यक्त की है। उसको हमारे कार्यवाहक राष्ट्रपति महोदय ने, बड़े सुन्दर और सुस्पष्ट शब्दों में लोक सभा और राज्य सभा के समूह प्रविर्धन के सामने रखा है। उन्होंने जनता की उन सभी प्राकाश्यों

घोर अपेक्षाओं को भी अभिव्यक्ति दी है जो कि आज समूचे देश में, समूचे देश के जनमानस में व्याप्त है।

मैंने कुछ देर पहले प्रतिपक्ष के माननीय नेता श्री यशवतराव जी बन्हाण का भाषण बहुत ध्यानपूर्वक सुना। मुझे कुछ है कि अभी भी इतनी बड़ी जन शान्ति के बाद भी उन्होंने कोई सबक नहीं सीखा है। उन्होंने इस बात को बहुत चर्चा की है कि उन्हें कुछ सुमंजस नीतियों, पर विचारधाराओं पर और दर्शन पर पूरा विश्वास है। मुझे बड़ा आश्चर्य है और मैं यह जानने में असमर्थ हूँ कि वह कौन सी नीतियाँ हैं, कौन सा दर्शन है, कौन सी विचारधारा है जिसमें उनको बहुत बड़ा विश्वास है।

दूसरी ओर वह यह कहते हैं कि जनता पाँचों सब ओर दिखाई दे रही है इसके पास कोई एक दर्शन नहीं है। उनका कहना था कि अनेक दर्शन उनको यहाँ मालूम होते हैं। पता नहीं वह कौन सी दृष्टि है जिससे उन्हें यहाँ एक दर्शन दिखाई नहीं देता है और अपनी उनकी पड़ी सुसंगठित विचारधारा मालूम होती है। आपकी इस विचारधारा के चलते इस देश में 45 करोड़ लोग आज भी गरीबी की रेखा के नीचे हैं। आपके दर्शन और विचारधारा का ही यह फल है कि जिस विडला के पास आज से तीस साल पहले केवल 25 करोड़ की पूँजी थी आज उसके पास 1100 करोड़ की पूँजी है। दूसरी तरफ़ इस देश के 45 करोड़ लोग गरीबी की रेखा के नीचे जीवन व्यतीत करने पर विवश हैं। अगर यही विचारधारा और नीति और दर्शन है तो मैं समझता हूँ कि इतने इतने देश की जनता ने हमें ऐसा के लिए छुटकारा पा लिया है, जनता ने इस विचारधारा, इस दर्शन को, इस नीति को ख़री की टाकरी में फेंक दिया है। आपको इस पर अभी भी गर्व है तो मैं समझता हूँ कि आपका अभी और कुछ होना बाकी है। आपने स्वयं कहा है कि अभी थोड़े दिन पहले आपके सदस्यों की संख्या

साढ़े तीन सौ थी और आज केवल वह डेढ़ सौ रह गयी है। क्यों इसी विचारधारा व नीति पर आपको गर्व है। तो वह दिन दूर नहीं जब डेढ़ सौ में केवल आप पंद्रह रह जाएँगे और आपका शून्य पर भी आप पहुँच जाएँ। आपकी विचारधारा आपको सुचारिक हो। जिस विचारधारा के चलते आपने देश की यह दुर्दशा की है यह आपको ही सुचारिक हो। आपने कहा है कि एमरजेंसी की बात बार बार न कही जाए। एमरजेंसी की वजह से जनता ने आपको एक बहुत अच्छा सबक सिखा दिया है। उसने आपको इस जगह पर पहुँचा दिया है। मैं समझता हूँ कि तीस वर्षों के पापों का यह परिणाम है जो कि आप इस स्थिति में पहुँच गए हैं। यह कौन सी विचारधारा है कि विडला साहब को कागज तीन सौ रुपये प्रति टन खर्च करके तैयार करने हैं उसके आप सात हजार रुपये टन के भाव से जनता को दिलाते हैं यह कौन सी विचारधारा है कि चीनी मिला के मालिक 1400 रुपये खर्च करके एक टन चीनी बनाते हैं और उसी चीनी को आप 5500 रुपये प्रति टन के भाव से जनता को दिलाते हैं? दूसरी ओर जो किसान दो सौ रुपये खर्च करके एक बिटल गेहूँ पैदा करता है उसकी कीमत आप उसको 105 रुपये दिलाते हैं। यह कौन सा दर्शन है, कौन सा विचारधारा है यह मेरी समझ में नहीं आता है। इसी विचारधारा के और दर्शन के चलते आपने देश के 78 प्रतिशत किसानों को तबाह कर दिया है, उनको भूखों रहने पर विवश कर दिया है, उसके ज्ञान बच्चों को दाने दाँतों के लिए मुहताज कर दिया है।

SHRI VAYALAR RAVI. Do you mean to say that the price of sugar cane should be increased?

श्री यमुना प्रसाद शास्त्री : गरीबों की कीमत और रिजर्व की जोड़ कर के मैंने आपको बताया है।

[श्री यमुना प्रसाद शास्त्री]

हुआ दे व लगान का दुगुना दे, लेकिन उसको धपन घनाज की उचित कीमत न मिले । यह आपके राज्य में इतने दिना तक चलता रहा । इस कृषि प्रधान देश में किसानों को आपने तबाह कर दिया, कितने झूठे बायदे आपने किये ? आपने एमजेंसी के दौरान बड़े-बड़े उद्योगपतियों को बड़ी-बड़ी रियायतें और छूट दी हैं । इनकम टैक्स को जो उच्चतम दर थी, उसको आपने नीचे गिराया । बड़े इनकम टैक्स देने वाला को फायदा पहुंचाने के लिये आपने उसकी सीमा को घटाया, उसे नीचे लाये । लेकिन जिस किसान को जिसको खेती के लिये एक एक बूंद पानी के लिये तरसना पड़ता है उसको आपन क्या रियायतें दीं । ग्राम विकास पर उनसे वसूल हो रहा है । ग्राम, तमिलनाडु वगैरा सब जगहों में किसानों के साथ यह अन्याय हुआ है । जहाँ सिंचाई का टैक्स 3 रुपये होता था, उसकी जगह 20 रुपये लिया जा रहा है । ग्राम विकास कर भत्ता लठे है, बिजली का टैक्स घटता कई गुना बढ़ा दिया गया है । किसान के उपयोग में आने वाली सब चीजें रोज-ब-रोज महंगी हो रही हैं लेकिन उस क घनाज का दाम घट रहा है । रिजर्व बैंक से को-ऑपरेटिव बैंकों के लिए ढाई परसेंट ब्याज पर रक्का दिया जाता है लेकिन किसान से 15 परसेंट ब्याज वसूल लिया जाता है । यदि किसान को रक्का वापस करने में एक दिन का भी विलम्ब हो जाये तो उस से 3 परसेंट दंड ब्याज प्रतिरिक्त वसूल किया जाता है । इस प्रकार किसान से तो 18 परसेंट ब्याज वसूल किया जाता है जबकि करोड़पति उद्योगपतियों को किसान बालीरेडन से 4 परसेंट ब्याज पर रक्का दिया जाता है ।

भूतपूर्व वित्त मंत्री ने कहा है कि देश में जगह-जगह 45 करोड़ रिजर्व बैंक, दहाती क्षेत्रीय बैंक खास रूप से । मैं उन बैंकों की स्थिति से परिचित हूँ । वह न, नो

ता य बैंक गरीबों को मदद देने के लिए खोले गये हैं, लेकिन एक भी गरीब को उन से मदद नहीं मिली है । इन बैंकों द्वारा कहा जाता है कि जिस के पास जमीन जायदाद है और जमानत दे सके, उसी को कर्जा मिल सकेगा । इस देश में सात करोड़ भूमिहीन खेतिहर भजदूर हैं, जिन के पास रहन के लिए मकान बनाने तक भी जमीन नहीं है जिन के फूस के झोंपड़ों को भी पिछली सरकार ने बलडोजर चला कर गिरा दिया था । उन लोगों को तो एक पेंसा भी श्रृण नहीं मिल सकता है । पिछनी सरकार ने नीति और विचारधारा के कारण देश की यह स्थिति हुई है ।

सरकारी आकड़ा के अनुसार इस देश में 23 प्रतिशत बड़ किसानों के पास देश की 70 फीसदी जमीन है और 77 फीसदी किसानों के पास केवल 30 फीसदी जमीन है । पिछली सरकार कृषि भूमि का सीमा वातून बिल्कुल बोगस और ग्राह्यर भाव है । इस नीति और विचारधारा से जनता ने छूटकारा लिया । मैं भी चण्ण से कहूंगा कि वह जरा भीसे में अपना बेहूष दख लें । बिहार में जिन 200 व्यक्तियों के प्राण उन की सरकार द्वारा गोतियों बरसा कर लिये गये हैं और तुकमान घट कर जिन लोगों के खून से उनकी सरकार ने हालो खनी है वही उन का खून तो उन के भूह पर नहीं लगा हुआ है । जल में जिन 150 मामूम और निरीह व्यक्तियों की मृत्यु हुई है, वही उन के कनक का टीका तो उन के माथे पर नहीं लगा हुआ है । अभी भी समय है कि वह समझें कि देश की जनता क्या चाहती है और देश में क्या हवा है ।

मरे भूवक्ता न अभी एक बहुत सतत और आपत्तिजनक बात नहीं है । उन्होंने कहा है कि यह सरकार हिंदुत्वान की जनता का प्रतिनिधित्व नहीं करती है । यह

बात कहने की उन की हिम्मत कैसे हुई ? क्या उन की याद है कि 1952 में मोंध के एक बड़े हिस्से, केरल और तमिलनाडु से कम्युनिस्ट पार्टी के काफी लोग जीते थे । उस वक्त क्या यह कहा जा सकता था कि पंडित जवाहरलाल नेहरू और उन की पार्टी हिन्दुस्तान का प्रतिनिधित्व नहीं कर रही थी । अगर वह देश की एक मानने हैं, तो उनको मानना चाहिए कि देश के बहुमत और देश के बहुत बड़े हिस्से ने जनता पार्टी को स्वीकार किया है । इस लिए यह कहना कि जनता पार्टी इस देश का प्रतिनिधित्व नहीं करती है, जनता का घोर अपमान करना है । जनता इस को कभी बर्दाश्त नहीं करेगी । जनता ने अपनी किस्मत जनता पार्टी को सौंपी है ।

अन्हाण साहब ने विदेश नीति के सवध में भी कुछ बातें कही हैं कि आप ने गुट निरपेक्षता की नीति को स्वीकार किया है, यह आप ने बहुत अच्छा किया है । यह बात उन्होंने कही इस के लिए मैं उनको धन्यवाद दूंगा । किसी एक बात के लिए तो उन्होंने स्वीकारा कि हमने सही कदम उठाया । लेकिन अन्हाण साहब इस बात को सफ़र लें कि आप की जैसी गुट निरपेक्षता की नीति जनता पार्टी नहीं स्वीकार करती । आप की गुट निरपेक्षता क्या थी ? आप की गुट निरपेक्षता यह थी कि बिर्ली में अगर अमेरिका ने परीक्ष रूप से भर्लंदी को हत्या करवायी तो उस की तो आप ने निन्दा की लेकिन जब रूस ने जेकोस्लोवाकिया पर हमला कर के दुबचेक की सरकार को गिराया, उस की निन्दा आप ने नहीं की आप मन रहे । क्या यही तटस्थता की नीति है ? यह गुट निरपेक्षता है ? जिस समय हंगरी में काफी पहले रूस ने जा कर इजें नेमी को गिराया उस समय आप की उस समय की सरकार ने भी उस की निन्दा नहीं की । अगर अमेरिका व पनामा पर वा मेक्सिको

पर कोई अपना अधिकार जताए या उस समय पुर्तगाल की सालाजार की सरकार के अगर मोडम्बिक और घोगोवा पर अपना अधिकार जमाये रही तो वे सात्र ज्यवादी थे लेकिन चीन ने जब तिब्बत पर हमला किया तो आप की सरकार ने तिब्बत पर चीन की सखरेनदी की, उस की सार्वभौम सत्ता को स्वीकार कर लिया, यही आप की गुट निरपेक्षता थी ? इस को गुट निरपेक्षता कहते हैं ? यही कारण था कि जब श्रीलंका में इस बार गुट निरपेक्ष देशों का शिखर सम्मेलन हुआ उस समय जब श्रीमती इंदिरा गांधी वहाँ गईं तो वहाँ अनेक देशों के प्रमुखों ने इस बात की कहा कि हिन्दुस्तान को हम गुट निरपेक्ष देश नहीं मानते । यह इन के मुँह पर बहुत बड़ा तमाचा था । जो देश कभी इस बात का ज़ुवा कर सकता था कि वह गुट निरपेक्ष देशों का भगुवा है, पिछले कुछ दिनों में और पिछले कुछ वर्षों में अन्हाण साहब, आप की सरकार ने उस गुट निरपेक्षता को तिलाजलि दे दी थी । जनता पार्टी की सरकार गुट निरपेक्षता को मानती है वह सही माने में गुट निरपेक्षता की नीति को स्वीकार करती है । अगर बिम्बाब्वे में, नामीबिया में और दक्षिण अफ्रीका में जन-अधिकारों का हनन होता है या बहू जनता के अधिकारों की निर्मम हत्या की जाती है तो आप की पुरानी सरकार ने उस की निन्दा की । यह ठीक किया, बहुत ठीक किया । लेकिन जेको-स्लोवाकिया, रूमानिया और रूस में जब वहाँ के बुद्धिजीवियों के मानवीय अधिकारों का हनन किया जाता है तो उस के लिए आप की श्रमती इंदिरा गांधी कभी नहीं बोली ? क्या कभी उन्होंने उस रूस व जेकोस्लोवाकिया के उन लोगों का समर्थन किया जो मानव अधिकारों के लिए सफ़र कर रहे हैं ? जेकोस्लोवाकिया के कुछ लोगो ने जो चाटर्-1977 तैयार किया जिस पर वहाँ के अनेक बुद्धिजीवियों के हस्ताक्षर हैं उस के लिए उन लोगों को देश से बाहर

निकाला गया क्या इस के लिए चेक सरकार की निंदा श्रीमती गांधी ने कभी की ? हम में वैज्ञानिकों को बाहर निकाला गया, वहां के मूढ़ों ने घरेलू अंधाधुंध व्यवहार के लिए धार्मिक सम्मेलन करना चाहते थे तो उन को रोका गया, निकाला गया क्या इस की निंदा आप की श्रीमती इंदिरा गांधी ने कभी की ? इस को हम गुट निरपेक्षता की नीति नहीं मानते । हम तो जनता पार्टी की सरकार से यह निवेदन करते हैं और हम पूर्ण विश्वास हैं कि मेरी पार्टी की सरकार . . . (व्यवधान) . . .

MR CHAIRMAN The time is over Only one minute

श्री यमुना प्रसाद शास्त्री : मैं तो अभी बोल रहा हूँ, मैं आप से चाहूँगा कि मुझे कुछ समय और दिया जाये । (व्यवधान) . . . अगर समय हो गया है तो . . . (व्यवधान) . . .

MR CHAIRMAN I am sorry, time is over He may continue tomorrow The House stands adjourned and we will reassemble tomorrow the 1st of April at 11 A.M.

1345 hrs

The Lok Sabha then adjourned till Eleven of the Clock on Friday, April, 1, 1977/Chaitra 11, 1899 (Saka)

CONTENTS

No. 7—Friday, April 1, 1977 [Chaitra 11, 1899 (Saka)]

COLUMNS

Members Sworn	I
Short Notice Question	1—19
Question of Privilege—	
Certain Remarks by Shri T. N. Kaul on television network in U.S.A. in July, 1975	19—24
Papers laid on the Table	24—30
Business of the House—	
Shri Ravindra Varma	30—33
Caltex [Acquisition of shares of Caltex Oil Refining (India) Limited and of the undertakings in India of Caltex (India) Limited] Bill— Introduced.	34
Statement re. Caltex [Acquisition of shares of Caltex Oil Refining (India) Limited and of the undertakings in India of Caltex (India) Limited] Ordinance, 1976—Laid.	35
Election of Deputy Speaker	35—39
Motion of Thanks on the Address by the Vice-President acting as President—	
Shri Y. P. Shastri	40—45
Shri K. Lakkappa	45—53
Shrimati Mrinal Gore	53—59, 61—66
Shri Raj Narain	67—92
Statement re. Fixation of Interim Rates of Wages for Working Journalists and Non-Journalist Newspaper Employees—	
Shri Ravindra Varma	59—61
Resolution re. Appointment of High Powered Committee to go into Certain Conspiracy	93—147
Shri Kanwar Lal Gupta	95—120, 144—17
Shri Vasant Sathe	121—26

	COLUMNS
Shri Madhu Lunaye	125—37
Shri C. M. Stephen	137—42
Chaudhuri Charan Singh	143—44
Resolution <i>re</i> . Probe into Atrocities committed during Internal Emergency—	
Shri Jyotirmoy Bosu	148—50

LOK SABHA DEBATES

2

LOK SABHA

Friday, April 1 1977/Chaitra 11 1899
(Saka)

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER in the Chair]

MEMBERS SWORN

Shri S B Shah (Kheri)

Suri Madhav Prasad Tripathi (Domaganj)

Shrimati Kamala Bahuguna (Phulpur)

SHORT NOTICE QUESTION

Re opening of Jute Mills in West Bengal

श्री १ श्री धीरेन्द्रनाथ बासु Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state

(a) whether the closed jute mills of West Bengal will be reopened or taken over by Government, and

(b) whether Government are considering to provide or make arrangement for adequate compensation for the unemployed workmen of the closed jute mills?

THE MINISTER OF COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION (SHRI MOHAN DHARIA) (a) and (b) A Statement
195 L.S.—1

ment is laid on the Table of the House

Statement

The Jute Industry is one of the major organised industries of the country and occupies a significant position in the national economy. Although its share in the country's export trade has of late declined for various reasons, it still holds a pre-eminent position and accounts for a sizable portion of the country's dollar earnings. With about 43,000 looms installed in 74 units the industry accounted for about 32 per cent of world production and about 45 per cent of world export of jute goods in 1974. The total capital employed in the industry is of the order of Rs. 300 crores approximately generating employment to approximately two and half lakh workers. Moreover cultivation of jute provides a living to nearly forty lakh farm families.

To a large extent, the jute industry depends for its health on the external market. Of late our foreign jute market has shrunk to a disturbing extent. Besides recession competition from synthetics and other jute exporting countries added to the difficulty of the industry. The lack of investment for modernisation research and development and outdated family based management system are some of the well known causes of the present situation of the jute industry. Due to various reasons, the jute industry has been passing through a serious situation.

As on the 30th December, 1976 the following jute mills lay affected by work stoppage

1 Khardah Jute Mill.

2 Union Jute Co

[Shri Mohan Dharia]

Bharat Jute Mill.

4 Waverly

5 Naffar Chandra.

6 Alexandra

7 Kelvin

8 Rai Bahadur Hurdutrai Motilal Jute Mill having resumed production on 13-10-1976 again was affected by work stoppage with effect from the 25th December, 1976

On the 30th December, 1976, a Committee under the Chairmanship of Shri P. K. Kaul, Additional Secretary, Ministry of Commerce was formed for ensuring that closed jute mills, capable of being reopened, would start functioning. The Committee has gone into the cases of work stoppage and has been making a case by case study of the problems of the affected jute mills.

Kelvin Jute Mill and Waverly Jute Mill resumed production with effect from 1-2-1977 and 31-1-1977 respectively. Moreover, Kinnison Jute Mill, which was almost on the verge of closure, has also been revived.

The Committee has been holding series of meetings and is trying to tie up all financial arrangements required for reopening the affected jute mills. The work of the Committee has been further activated. Dialogues have been held by the Committee with the Banks concerned as also with the Industrial Re-construction Corporation of India, Industrial Finance Corporation of India, Industrial Development Bank of India and the Reserve Bank of India. It has been generally agreed, in principle, that in viable cases, start up expenses and additional margin requirements would be provided by the Industrial Re-construction Corporation of India. It has further been agreed, in principle, that working capital requirements would be provided by the concerned commercial banks and that capital requirements for modernisation, re-

novation, balancing etc will be provided by the Industrial Finance Corporation of India. The cases of reopening Khardah Jute Mill, Union Jute Company and Alexandra Jute Mill are in advanced stage of consideration.

The State Government of Bihar has been requested to examine the viability of Rai Bahadur Hurdutrai Motilal Jute Mill so that they may obtain institutional finance for reopening the same jute mill, in case it is found viable.

Negotiations have been initiated for arranging some concessional finance for restarting Naffarchandra Jute Mill.

The question relating to grant of admissible reliefs to the industrial workers affected by work stoppage falls within the jurisdiction of the respective State Governments.

SHRI DHIRENDRANATH BASU
May I know whether the Government is considering giving any compensation to unemployed workmen, who remain unemployed due to closure of jute mills in West Bengal?

SHRI MOHAN DHARIA I have said in the statement that five jute mills are closed in West Bengal and one jute mill in Bihar. All efforts are being made by the government to see that the mills which are now closed resume work. It is in this connection that I referred to the committee which has been appointed under the chairmanship of Shri Kaul. The House will be happy to know that Waverly Mill had started working on 31 January 1977 and Kelvin Mill on 1 February 1977. Besides Khardah Jute Company, Alexandra and Union Jute Company are in an advanced stage of negotiations because the public financial institutions have agreed to come forward in respect of those mills and we are trying our best so that employees would not suffer and

production of jute also would not suffer

SHRI DHIRENDRANATH BASU Will the Minister be pleased to probe into the causes of closure of jute mills in West Bengal?

SHRI MOHAN DHARIA Sir, I said in my reply that lack of investment for modernisation, research and development and out-dated family based management system are some of the well-known causes for the present situation of the jute industry and it shall be the endeavour of my Ministry to go into the whole thing

SHRI CHITTA BASU Are the Government aware of the fact that the jute industry in West Bengal is in severe crisis and would the Government make any assurance that they would make an in-depth study of the crisis of the jute industry? Of course the previous Government had appointed a committee of this nature and it did not bring in any fruitful results. Would the hon Minister be pleased to state whether there is another Committee going to be appointed which will go into crisis in this industry and suggest remedial measures? My second question is whether the Government proposes to nationalise the industry as a whole in the interests of the workers, in the interests of the jute growers and in the interest of the country's economy? Whether it is also a fact that about 80,000 workers in the jute industry have lost their jobs during the last few months? What relief the Government proposes to give to these people who have lost their jobs? Whether it is also a fact that a large number of Badli workers are working in the industry? What steps the Government proposes to take to employ them on a permanent basis in the industry?

SHRI MOHAN DHARIA Sir, so far as the working of the Committee is concerned it will be a great injustice to the Committee to say that they

have not done any job. I am thoroughly satisfied with their work and since I took charge of the Ministry, I activated the working of the Committee itself and in this connection, we have contacted some public financial institutions. This is the first time that the public financial institutions have come together to help this industry, particularly the jute mills. Regarding the nationalisation of jute mills there is no such proposal before the Government. My friend would agree with me that by nationalising jute mills, all these problems cannot necessarily be solved because the issues and the reasons are quite different. Regarding relief to workers, I do have all my sympathies so far as the workers are concerned. I wish that early steps had been taken by the previous Government when the apprehensions regarding the closure of the mills were there. Unfortunately it was not done. However this House will appreciate that labour matters of this industry is under the jurisdiction of the State Governments and not under the Central Government. Regarding 'badli' workers it is for the State Governments to take into consideration how many badli workers are working there. However, I can assure the House that I shall take up this issue with the State Governments so that these workers do not suffer.

SHRI SAMAR GUHA Sir, both my hon. friends are considering that the jute industry problems are the problems of West Bengal only. But it is the problem of whole of India because it is a large foreign exchange earning industry and it is also maintaining thousands of labourers in Bihar, Orissa, and West Bengal. And in view of the crisis there seems to be a belief that there had been some unemployment for some time in the jute industry Congress Min. here. That had created a kind of suspicion there. It is also to be noted that certainly anti-

[Shri Samar Guba]

cial crisis had been created in the jute mills and also in the functioning of the jute Corporation. I would like to know whether the government would institute enquiries at two levels. The first enquiry should be to see whether there has been any underhand dealings with the jute magnates for the collection of funds for the election as well as party funds and also whether in dealing with the Jute Corporation a similar thing happened. That is one cycle. The second cycle is that the committee which has been appointed should be reoriented or reorganised with mostly experts to go into the details about the nature of the crisis and suggest solutions not only to save the industry but also to enhance the production as well as jute cultivation in West Bengal.

SHRI MOHAN DHARIA As I said this is one of the major industries of our country. Unfortunately the countries which used to import jute from us have started using synthetic materials instead of jute. That is one basic reason for the demand going down. There is also a tendency in the world today to handle in bulk and naturally articles like foodgrains and others are carried through holds. In retail packaging lot of plastics are used. That is why the demand has gone down. About internal consumption, we are trying our best to see that the jute industry does not suffer for lack of demand. The other problem is about per-acre yield. There were not much efforts made to have better yield. The yield is about 1100 lbs per acre. If we can increase the yield, it may be possible to take care of the prices and also ensure that the mills get adequate raw material. We are aware of the problems of the industry. About underhand dealings and collection of funds, we shall have to go into it. I cannot say offhand anything today. I shall certainly go into this aspect. About the committee, I can assure the House

that the Kaul Committee has been doing an extremely good job. We shall certainly take the help of expertise that may be needed so that we can modernise the industry and take it out of the crisis that it has been facing.

श्री युवराज . क्या वाणिज्य मंत्री जी यह बताएँ कि बिहार राज्य की सरकार ने इस सम्बन्ध में धार० बी० एच० एम० जूट मिल्स, कटिहार को सीधे अपने अधीन लेने की विचारणा की है ?

श्री मोहन धारिया . माननीय सदस्य ने जो सवाल उठाया है, उस के बारे में मैं यह बता दूँ कि बिहार गवर्नमेन्ट के साथ हमारा डाइलॉग चल रहा है और वहाँ पर जो एक जूट मिल, राय पहाड़ुर हरिदत्त राय मोदी लाल जूट मिल, बन्द है, वह शुरू हो सके, इसके लिए हमने कोशिश की है और हम उम्मीद करते हैं कि वहाँ की गवर्नमेन्ट का सहयोग हमें मिलेगा। हमारी तरफ़ से हमारी जो फाईनेंसियल इस्टीमेशन है, उस का पूरा सहयोग दिया जाएगा।

SHRI JYOTIRMOY BOSU You are no doubt aware of the fact that 40 lakhs of farmers from Andhra Pradesh, Assam, Orissa and West Bengal are engaged in the jute industry. There are 2½ lakh workers, majority of whom are from Bihar, UP and Orissa, 16 to 17 lakhs are engaged in the trade of jute. 60 to 70 thousand workers have been laid off or retrenched. As of today, I want to know how many mills are really lying closed. On 8th February, 1977 after my release from the black era of emergency I spoke to Prof D P Chattopadhyaya the then Commerce Minister and he had promised that he was ensuring opening of at least two mills in the Budge Budge area. What has been done about it?

The IDBI is also going to give soft loan to jute, engineering and textile industry. Is it not a fact that the

Indian Jute Mills Association have paid Rs 2 crores through one of your predecessors during UP elections and Rs. 5 crores in the current elections

The trouble had been the greed for maximum profit Rs 100 crores have been given for modernisation. What is modernisation? Modernisation means shrinkage of job opportunities. Will this be suitable in our conditions?

Export duty is virtually abolished. They have purchased it under pressure. Jute is one of the highest foreign exchange earning commodity. Therefore, regarding reinstatement of those who have been laid off, you cannot shrink the responsibility because you reap the harvest. The money that is earned through foreign exchange comes through the central exchequer. You cannot pass on the liability to the State Government. You have to intervene in the matter.

About compensation to the workers to cover debt for survival, what are you going to do about it? They are living in semi starvation conditions. Many have become destitutes and they are on the streets. The only remedy is nationalisation of jute mills. There is a very interesting report from Dedham laboratory in the United States which has said that jute could be processed to make it fit for human garments. Why that report has been shelved? And why that report has not been implemented?

SHRI MOHAN DHARIA Regarding information about the present jute mills, the production, number of workers employed and all that, if the hon. Member refers to the statement which has been laid on the Table of the House by me in its first para, it contains lot of information. Anyway, I cannot prevent Mr Bosu from making the statement while he is asking a supplementary

I have already said that nationalisation of jute industry is not the solu-

tion to the present crisis. The issues are quite deep. Presently while facing the marketing problem particularly in the foreign areas because of the use of synthetics instead of jute, I do agree with Mr Bosu that all possible efforts shall have to be made so that along with the use of new science and technology jute is converted for some other purposes so that the demand and the markets could be prop-
posed up

Regarding relief to workers I have said that we are sympathetic and I entirely agree that this problem shall have to be resolved as early as possible. It shall be my endeavour and I can assure the House that out of these 3 mills which are laid down 30.12.76 at least six mills will be operating within the next three or four months. That shall be my endeavour. But the problem will be regarding the raw material. My friend Mr Bosu is very well aware that the raw material shall be available from July onwards particularly from September/October onwards. Till that time we have no buffer stock and no imports are possible. I have examined that possibility also. Let us be realistic to the problem. Anyway, I assure that I have all my sympathies so far as workers are concerned. If we resume the working of the mills, we can solve the problem to a great extent. Regarding interim relief, I shall request the Labour Minister of the Central Government to take up this matter with the State Government.

SHRI MOHD SHAFI QURESHI

May I know from the Minister whether, as a result of the closure of jute mills, our exports of jute and jute goods have declined? If so what is the amount of loss suffered so far?

SHRI MOHAN DHARIA Our exports have not declined because of the closure of the mills. They have declined because there is no demand in the foreign market.

SHRI MOTIRMOY BOSU It is so because it is being manipulated.

चीपरी बसबीर सिंह : मूट वा मने मूट
मात को प्रस्ताव दे। व लिए धोर स्टेशनमन
माफिट म जो दसन एक्मपाट म अभी मा गई
है सरोप्रोसाह दे के लिए क्या पोन्तियोर
वे येले जो सराग दसरे इनेमान करी है
उा पर मा रोह सवापने ?

अध्यक्ष महोदय यह दस सवापने नला उटअ
है। माप सवाल को पड़े धोर उसके बाट मूजे।
The Minister will answer you, but it
has no bearing on this question.

चीपरी बसबीर सिंह मांग को बढ़ाये
के लिए पोन्तियोर मने जो सरकारी दसरे
इलामाल करते हैं उनको बन्द किया जा सगा
है। मिये बन्द हो रही है। यह बहुत दमार्दे
सवाल है।

श्री मोहन धारिया : हमरा दसरा एक्मपाट
बड़े दसरा मिये जो एक्मपाट हूतो है उता
पूरी तरह म एक्मपाट कर दिया गया है।
इससे मात यह है कि पूरी दुनिया में अगर
सिपाटन वा दसमान हुता है सिपाटन के लिए
भी होता है, पटनादर के लिए भी होता
है तो अगर मूट वा इन्मेनाल बल है तो उक्त
सिपाटन हा वा पटनादर हा उनका बापी
मुक्ताल होता है। यह भी हम यवान रखना
होगा। पूरी बात को यवान मे रख कर हम काम
करना होगा। जब दसरी बड़े मूट वा
उत्पादन बड़े इसक लिए जो काधिम करनी
है यह हम करते रहने।

(Interruption)

MR. SPEAKER The question is
about West Bengal.

SHRI DINEN BHATTACHARYA
My question is very simple Mr
Mohan Dharia is a knowledgeable
person, I know His predecessor
Mr Dey Prasad Chattopadhyaya

made a categorical statement on
the floor of this House just before
dissolution of Lok Sabha that the
Khardah jute mill will be re-opened.
A question was put to him and he
gave a reply May I ask the Minister
whether his predecessor has run
away with the flies? If the flies are
available with the new Minister, he
may consult them and take steps
immediately. I know that he has
already committed to this that within
4 months 6 mills will be re-opened.
May I appeal to him kindly to see
that the Khardah mill is re-opened
within a month, and not 6 months?
The new Minister should not follow
in the footsteps of his predecessor of
simply expressing pious wish and
thereby food-wink the people

SHRI MOHAN DHARIA. From my
little experience I can say that even
though Mr Chattopadhyaya is no
more in the Ministry, the flies are
available in the Ministry. I would
be glad to start the mills as early as
possible. But there are several inher-
ent difficulties. I can tell them. The
matter regarding one mill has gone to
the High Court.

SHRI DINEN BHATTACHARYA
Regarding Khardah mill I can tell you
that the case is no longer in the High
Court.

SHRI MOHAN DHARIA I am
quoting several difficulties that are
there and in one case the liquidation
proceedings are there. We are telling
the States that they should not be
liquidated. So naturally, now we
shall have to go to the High Court.
In the case of other mills, it is not a
question of finance so much. Those
mills require repairs. They are old
mills. There should be replacement
of everything, right from the manage-
ment. There are several questions.
Without applying my mind to all
those problems, I am not really going
to pump the money of the people into
these jute mills. But I can assure my
hon friends that all possible care will
be taken to see that the jute mills

which are closed, start as expeditiously and early as possible. But we should not do anything in haste because of which we will again be the sufferers.

SHRI M. RAM GOPAL REDDY
The Minister has correctly stated that one of the causes for the closure of the mills is that there is no demand for jute goods in foreign countries. I want to know what sort of arrangements he is making so that there will be a good market for jute goods abroad. Secondly, Shri Samar Guha has said that we have got suspicion about some people making some money. I want to know whether he has got any definite information about it which he can supply to the House.

SHRI MOHAN DHARIA I have mentioned in my statement

"That lack of investment for modernisation, research and development and out-dated family-based management system are some of the well known causes of the present situation of the jute industry."

I have not stated that the jute mills have closed because the foreign markets have gone down. I have not made any such statement. Secondly, regarding the malpractices, it shall be my endeavour to go into them. But, as the hon. Member is well aware, all these under-hand dealings are carried out without any evidence. So, it is very difficult to find them out because of want of evidence. What we can do is to take care of them for the future.

SHRI DINEN BHATTACHARYA
What can the Minister here do when the Minister in the State is hand in glove with the Jute Mill Owners Association?

MR. SPEAKER No, Mr. Bhattacharya, this is not the way to ask a question.

SHRI DINEN BHATTACHARYA
It is a fact. If you will kindly permit me, I will prove that it is a fact.

MR. SPEAKER Will he kindly sit down? Even if it is a fact it cannot be raised like this between the two Members. There is a procedure for that in the House.

श्री उपसेन : माननीय अध्यक्ष महोदय, इस बात को देखते हुए कि पश्चिम बंगाल की जूट मिलों का उत्पादन ठीक से नहीं हो रहा है क्या मंत्री जी अपनी सरकार की नीति की स्पष्ट घोषणा करेंगे कि इन तमाम मिलों का जो पश्चिम बंगाल तथा दूसरे प्रान्तों में हैं उनका तत्काल राष्ट्रीयकरण किया जायगा ?

श्री मोहन धारिया : मैं ने तो बता दिया है कि केवल राष्ट्रीयकरण करने से यह मसला हल नहीं होगा और जो कारण मैं ने अपने स्टेटमेंट में बताये हैं उन के आधार पर इस बात का ज्ञान रखते हुए कि जूट इंडस्ट्री हमारे देश की बड़ी इंडस्ट्री है हमारी पूरी कोशिश रहेगी कि यह इंडस्ट्री प्रागे बढ़े ।

I am not going into the question whether previously one Minister was hand in glove with the Jute Mill Owners' Association. But this House can rest assured that, so far as this Government is concerned, there will not be any sort of under-hand dealing as in the past. In fact, I have already started operations to clean the Commerce Ministry, which has got some notorious name outside. I can assure this House further more that not only in the case of the officers but also the industrialists or the exporters, if they try to play any unfair practice all possible care will be taken to see that they do not have any place in the Commerce Ministry. They do not get any co-operation from the Commerce Ministry. The House can rest assured of that.

SHRI K. LAKKAPPA In the course of his reply, the hon. Minister has stated that the States have got a

[Shri K. Lakkappa]

certain responsibility. So, I would like to know the attitude of the Government towards the financial assistance required by the States from the Centre for easing the situation there.

SHRI MOHAN DHARIA : I have already stated that this question is related to the sick jute mills. We have already discussed the matter with the public finance institutions. It is the first time perhaps that they have come forward, as they have done in the case of the textile industry or the engineering industry to give proper assistance to these sick jute mills. To that extent all possible co-operation will be given to these mills and the State Governments, and no party politics will come between the State and the Centre as in the past.

श्री सखन सास कपूर : बिहार में 30 पीसदी जूट पैदा होता है, मैं जानना चाहता हूँ कि बिहार के राय बहादुर हरदत्त शर्मिया जूट मिल को सरकार अपने हाथ में लेने के लिये क्या कोई समय निर्धारित करेगी ?

विधानसभा और फारबिसगंज में सरकारी जूट मिल खोलने के लिये विलान्वास हो चुका है, इन दोनों स्थानों पर अब तक मिल खोलने की व्यवस्था होगी ?

जो मिल बन्दी और मन्दी के कारण जूट उत्पादकों को घाटा हा रहा है, मैं जानना चाहता हूँ कि सरकार एम. टी. सी. के माध्यम से उनकी जूट खरीद कर क्या उनके घाटे को पूर्ति की व्यवस्था करेगी ?

श्री मोहन शर्मिया : माननीय सदस्य के सवाल का जवाब मैंने पहले ही दे दिया है। बिहार गवर्नमन्ट के साथ हमारी वानचीत बात रही है। कि बहुत पर जो जूट मिल बन्द है वह कैसे जल्दी से जल्दी चालू हो सकते हैं। इसकी कोशिश हमारी बात रही है।

SHRI T. A. PAI : In view of the fact that jute is one of the most important industries of the country employing lakhs of people and that the future of the industry depends upon our international markets, apart from short-term measures that the Government would like to take, I would request them to look into the long-term prospects within three months and prepare a comprehensive plan because so far we have been attending to it in a piecemeal manner to meet expediences from time to time. It is a question of not only the international markets but also how the internal market can be stimulated and how the industry, which has failed to take advantage of research and development in the course of these years, can meet foreign competition. Would the Government therefore consider not only substitution of old machinery by new machinery but, if necessary, the restructuring of the industry?

SHRI MOHAN DHARIA : I entirely agree with the hon. Member and I can assure him that with the co-operation of the hon. Member and other Members of the House we would very much like to take care of this industry and take measures in a proper perspective. My Ministry will endeavour to see how we can have that sort of planning.

श्री हरकमदेव नारायण यादव : मैं मंत्री महोदय से जानना चाहता हूँ कि बीमार जूट मिलों के लिये क्या उन्होंने किसी दबा का धन तक आविष्कार किया है जिससे उनकी जल्द से जल्द तन्दुरुस्त बनाया जा सके ? जूट मिलों के बन्द होने से, किसान जो उत्पादन करता है उससे उसकी खेती पर भी असर पड़ता है। अगर जूट मिल बन्द होनी से किसान की हालत भी बदतर होगी और उसके परिवार पर भी असर पड़ेगा। बीमार मिल जल्द तन्दुरुस्त हो सके और किसान को खेती भी मुश्किल हो सके और किसान को खेती भी मुश्किल हो सके, इसके लिये जल्द कदम उठाने जाने चाहिये।

श्री मोहन धारिया . माननीय सदस्य ने जो सवाल उठाया, मैंने उनका ही जवाब दिया था। मैं फिर कहना चाहता हूँ कि इस बारे में हमारी पूरी कोशिश होगी।

SHRI S KUNDU Mr Speaker Sir, I read the statement of the hon. Minister with great care and attention. I would like to know from the hon Minister whether the crisis in Jute Industry would be accounted for to the gains of emergency? The jute industry started facing crisis after June 25th soon after the second emergency was declared and more than 50 jute mills were closed down with the result that about 80 000 workers direct and indirect were thrown out of employment. Concessions amounting to about Rs 16 crores are given to them. I would like to know from the hon Minister whether he would make a statement regarding this so that we could know what are the gains of emergency? Day before yesterday, there was a report in the Economic Times. According to that report, some more jute mills are going to be closed. I would like to know what is the real state of affairs in this industry? Thirdly, in the statement, in the second paragraph, it is mentioned, "Of late, our foreign jute market has shrunk to a disturbing extent." I think this is a story of about one year back. This story was given by the Ministry of Commerce which administered the department during the emergency. I think the hon Minister would throw some light on this. I think as usual some officers must have prepared this statement. The facts are not upto date. I would like to know what is the actual position of the entire market?

SHRI MOHAN DHARIA So far as this industry and the emergency is concerned perhaps the present state of affairs of the jute industry itself is enough to reflect over the so-called gains of emergency. This industry had suffered badly during the emergency. It has never happened in the

past. So far as the next point regarding some additional mills falling sick is concerned I have taken note of it. If the reference of the hon. Member is towards those jute mills from Andhra where there is a strike I may say that I am equally ignorant because I have read about it this morning. I have called for the reports of the State Governments. I may further add that I am as ignorant as the hon. Member is. As far as your third point regarding the entire position of the market is concerned I have already replied to that point.

SHRI KRISHNA CHANDRA HALDER Mr Speaker Sir about 80 000 workers have been retrenched due to the closure of these jute mills. I want to know from the hon Minister whether any measures will be taken against the owners of these mills for illegally closing these mills? I also want to know from the hon Minister whether Government will advise the Jute Corporation of India to supply raw jute to the flour mills for reopening of the jute mills?

SHRI MOHAN DHARIA That is the reason why the word 'stoppage' of the jute mills has been used in my statement. I have not used the word 'closure'. I do not know whether it is legal or illegal. It is for the State Governments to find out whether the management has closed these mills legally or illegally, whether there was any lay off or not and whether they would pay compensation for it or not. I know nothing about it. I am very much concerned about the stoppage of work which amounts to retrenchment immediately. Regarding the other aspect, I have already explained

श्री मनोहर साहू . मैं यह जनना चाहता हूँ कि जो बड़ी-बड़ी जूट मिलें बीमार पड़ी हैं, उन को व्यवस्था ठीक करने के साथ साथ क्या सरकार छोटे पैमाने पर जूट उद्योग को तरक्की के लिए बढ़ाने उठाएगी जिस से कारखानों की भी परंपरा हावा ?

श्री मोहन पारिया : यह जूट वारपोरेशन जो हमन पैदा किया है वह एस वाशिंगटन की मदद करने के लिए मोर जूट इंडस्ट्री का डेवलप करने के लिए किया है। इन का काम जितना घट्टा होना चाहिए था वह नहीं था। अब यह वारपोरेशन घट्टा काम करेगा ऐसी हम उम्मीद है।

श्री मनोहरलाल : मरा प्रश्न साफ नहीं हुआ। मैं यह जानना चाहता हूँ कि जो बीमार मिलें पड़ी हुई हैं उन की व्यवस्था करने के साथ-साथ छोटे मोटे रैमाने पर जूट उद्योग की सरकारी क लिय भी क्या सरकार व्यवस्था करेगी।

MR. SPEAKER We have taken a long time on this short notice Question. Because there is no Question Hour, I wanted to be liberal. That was why I allowed 40 minutes on this Question. When we have Question Hour next week, if we take up time like this on a Question, we will be able to dispose of only one or two Questions. It is not possible. Today, there is no Question Hour and that was why I thought, let all the Members get a chance. That is enough.

11.40 hrs.

QUESTION OF PRIVILEGE

CERTAIN REMARKS BY SHRI T N KAUL,
ON TELEVISION NETWORK IN U.S.A. IN
JULY, 1975

SHRI JYOTIRMAY BOSU (Diamond Harbour) Mr Speaker, Sir Under Rule 222/223, I have already given notice seeking your consent to raise an issue of privilege. The facts of the case are as follows —

On 11-7-75, after the proclamation of Emergency, Shri T N Kaul, the then Indian Ambassador in U.S., presently Chairman, Indian Council for Cultural Relations—I am told he

has resigned today or yesterday—in an interview telecast by the R.B.C., one of the national television network of the USA said

“Political leaders had not been jailed but detained in houses”

This is a gross distortion of truth and it wholly contradicts publications already made in Part II Bulletins of Lok Sabha under your orders and authority notifying arrests and detentions of a number of political leaders in the Opposition. By this action, he has committed a serious breach of privilege of the House as well as of the Members detained in jails.

I, therefore, request that the matter be referred to the Privileges Committee for proceeding further into it.

11.40 hrs.

MR. SPEAKER The hon. Minister

श्री मधु तिमये (बारा) . माप मुने पेंदा मुन तीरिए। इस पर मैं बालना चाहता हूँ।

MR. SPEAKER I have asked the Minister to reply.

श्री मधु तिमये जवाब बाद में दोगे न ?

MR. SPEAKER That means all the Members can speak on this. I would like to have your assistance and cooperation on this, in future also, in regard to the procedure to be adopted as to whether other Members can speak on a matter of privilege raised by an hon. Member. If other Members also participate, then it becomes a debate. If I allow Mr. Lamaye, I will have to allow Mr. Subramaniam Swamy also and other Members from the other side also. Am I to allow all the Members to support him or oppose him?

श्री मधु लिमये : अध्यक्ष महोदय, मैं इन दिनों नोटिस नहीं दे रहा हूँ आप की मदद करने के लिए, इसलिए आप मुझे थोड़ा सुन लीजिए ।

MR. SPEAKER I know that लेकिन आप को टाइम देने के बाद तो दूसरे मेम्बरों को भी देना पड़ेगा ।

श्री मधु लिमये वह तो आप को डिसाइड करना है ।

MR. SPEAKER Once I allow him, then others can also speak. I do not mind Let others also speak. Once this is allowed, I will be in trouble I do not want any debate now. The hon. Minister.

विदेश मंत्री (श्री अटल बिहारी वाजपेयी) : अध्यक्ष महोदय मेरे मित्र श्री ज्योतिर्मय बसु ने जो मामला उठाया है उस के बारे में श्री टी० एन० कौल से स्पष्टीकरण मांगा गया था । श्री कौल का कहना यह है कि सबाई को तोड़ मरोड़ कर पैस करण का उन का कोई इरादा नहीं था । वे कहते हैं कि वे टेलीविजन पर बात कर रहे थे और उस समय जो जानकारी उन को उपलब्ध थी उस के आधार पर उन्होंने बयान दिया । अपनी भलाई में उन्होंने यह भी कहा है कि श्री ज्योतिर्मय बसु ने जिन पत्रिका में टेलीविजन का हवाला दिया है वह टेलीविजन उन्होंने देखी नहीं थी, वह टेलीविजन उनका भैया नहीं जानती हैं । (अवधान) श्री कौल का यह भी कहना है कि पूरी जानकारी न होने के कारण जो जानकारी उस समय उपलब्ध थी, वह उन्होंने दी ।

अध्यक्ष महोदय, यदि आप देखेंगे तो यह जुलाई, 1975 का मामला है । अपनी सबाई में उनका कहना है कि अगर पूरी जानकारी न देने के कारण किसी को बंद पड़नी हो... (अवधान)

SHRI JYOTIRMOY BOSU (Diamond Harbour) One may tell lies for the country but not for an individual (अवधान)

श्री अटल बिहारी वाजपेयी : जुलाई तो मैं कह ही रहा हूँ । तो उनका कहना है कि पूरी बात न कहने के कारण अगर किसी को बंद लगी है तो उसको वह बड़ा दुर्भाग्यपूर्ण मानते हैं मगर उनका इरादा गलत बात कहने का नहीं था ।

इसमें मैं एक बात और जोड़ देना चाहता हूँ कि जो कुछ उन्होंने कहा वह तथ्य पर आधारित नहीं था लेकिन उन्होंने किसी विरोधाधिकार का उल्लंघन किया था नहीं किया, इसका फैसला तो अध्यक्ष महोदय, आपकी ही करना है ।

श्री मधु लिमये : अध्यक्ष महोदय, मेरा प्वाइंट ऑफ ऑर्डर है । पहली बार इस देश में गैर कांग्रेसी सरकार जनता द्वारा चुनी गई है । विगत दो वर्षों में जो भी बात इन्दिरा सरकार के द्वारा की गई है उस पर चांदर बिछाने का प्रयास जनता पार्टी की सरकार नहीं करेगी—ऐसा हम लोगों ने बरीबरी लोगों को आश्वासन दिया है । इसलिए मैं अपने लामक मित्र वाजपेयी जी से कहूँ कि आप तो इसके लिए जिम्मेदार नहीं थे लेकिन साथ साथ आप लोग इनको संरक्षण देने का भी प्रयास मत कीजिए ।

अध्यक्ष महोदय : आपका प्वाइंट ऑफ ऑर्डर क्या है ?

श्री मधु लिमये : मेरा प्वाइंट ऑफ ऑर्डर यह है कि यह विरोधाधिकार का प्रयास है या नहीं इस पर निर्णय देते समय आपको पहली बात तो यह सोचना है कि क्या क साह्य का यह विवेक है कि उनको पूरी जानकारी नहीं थी, सबाई पर आधारित है और क्या कौल साहब के पास सही जानकारी भारत सरकार के द्वारा और विदेश मंत्रालय

[श्री माधु निमये]

क द्वारा दी गई थी या नहीं तथा क्या कौल साहब अखबार वगैरह पढ़ते हैं या नहीं वगैरह श्री जय प्रकाश नारायण तो इस सदन के सदस्य नहीं हैं लेकिन श्री मारारजी सदस्य थे, क्या वे नेता है इसके बारे में कोई शक है, क्या श्री अटल बिहारी वाजपेयी नेता हैं इसके बारे में कोई शक है, छोड़ दीजिए आप माधु निमये और ज्योतिर्भय बसु को, हम तो मामूली आदमी हैं, हमको वे मामूली मानते थे लेकिन श्री मारारजी देसाई और श्री वाजपेयी तो इस सदन के सदस्य थे और ऐसी हालत में उनके द्वारा यह बहना कि मुझे सही जाना नहीं थी— इस पर यह सदन विश्वास करने के लिए तैयार नहीं होगा, यह मैं निश्चित रूप से कहता हूँ। इसलिए आप इस पर जल्दी फैसला करने के बजाये या तो जनरल पर्पोजेज कमेटी बुलायें या कुछ नेताओं को प्रपोजेक्चर में बुलायें और गहराई से विचार करें। पूरे विदेश मंत्रालय को, इफार्मेशन ऐंड ग्राइवांस्टिंग मिनिस्ट्री और विदेशी दूतावासा को विरोध पक्ष को बदलाव करने के लिए इस्तेमाल किया गया है। वे हाउस प्रेसंट की बात करते हैं लेकिन हमारे साथ क्या क्या बीती है वह जब समय आया तब आप और सदन के सामने पेश करना। आपको इस सवाल को एक साधारण और मामूली सवाल समझ कर नहीं टालना चाहिए। (व्यवधान)

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, मुझे एक व्यक्तिगत स्पष्टीकरण देना है। जो वस्तुस्थिति है उसकी मैंने सदन के सामने रखा है। किसी को बचाने का या पाप पर पर्दा डालने का मेरा कोई इरादा नहीं है। जहाँ तक विशेषाधिकार का सवाल है उस पर निर्णय तो आपके हाथ में है उनको मैं नहीं कर सकता। (व्यवधान)

SHRI S. KUNDU (Balsore). On a point of order

SOME HON Members rose—

MR. SPEAKER All the hon. Members may please sit down. Point of order is leading to disorder. I would request the hon. Member to leave it in my hands, as the hon. Minister has said. I am not going to give a ruling here and now. I will give my thought to it. I suggest instead of wasting the time of the House if any hon. Member can throw light on this to me he can certainly do so in my Chamber. I am passing on to the next item.

11.51 hrs.

PAPERS LAID ON THE TABLE

FIRST REPORT OF SARKARIA COMMISSION, MEMORANDUM OF ACTION TAKEN AND STATEMENT re. REASONS FOR NOT LAYING HINDI VERSION OF THE REPORT

THE PRIME MINISTER (SHRI MORARJI DESAI) I beg to lay on the Table —

(1) A copy each of the following papers under sub-section (4) of section 3 of the Commissions of Inquiry Act 1952 —

(i) First Report of the Sarkaria Commission set up to inquire into the allegations against the former Chief Minister and other Ministers of Tamil Nadu (Parts I and II)

(ii) Memorandum of Action taken on the Report (Hindi and English versions)

(3) A statement (Hindi and English versions) explaining reasons for not laying simultaneously the Hindi version of the Report. [Placed in library See No LT 20/77]

SHRI HARI VISHNU KAMATH (Hoshangabad) May I ask Sir, whether copies of these important documents will be circulated to Members? Secondly, in regard to item (ii)

Memorandum of Action taken on the Report', does it mean the action taken by this Government or by the predecessor Government?

SHRI MORARJI DESAI Action has not yet been taken. It is being considered

SHRI HARI VISHNU KAMATH On appoint of information Does 'action' mean action taken or proposed to be taken?

MADRAS CITY POLICE (AMDT) Act, 1976
NOTIFICATIONS UNDER BORDER SECURITY FORCE ACT 1968 AND CENTRAL INDUSTRIAL SECURITY FORCE (AMDT) RULES, 1977

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH) I beg to lay on the Table —

(1) A copy of the Madras City Police (Amendment) Act, 1976 (President's Act No 39 of 1976) (Hindi and English versions) published in Gazette of India dated the 5th November, 1976 under sub-section (3) of section 3 of the Tamil Nadu State Legislature (Delegation of Powers) Act, 1976 [Placed in library See No LT 21/77]

(2) A copy each of the following Notifications (Hindi and English versions) under sub section (3) of section 141 of the Border Security Force Act 1968 —

(i) S O 11(E) published in Gazette of India dated the 6th January, 1977, containing Corrigendum to Notification No S.O. 429(E) dated the 24th June, 1976

(ii) SO 12(E) published in Gazette of India dated the 6th January, 1977 containing Corrigendum to Notification No S.O. 430(E) dated the 24th June, 1976. [Placed in library See No LT 22/77]

(3) A copy of the Central Industrial Security Force (Amendment) Rules, 1977 (Hindi and English versions) published in Notification No GSR 127 in Gazette of India dated the 29th January, 1977, under sub-section (3) of section 22 of the Central Industrial Security Force Act, 1968 [Placed in Library See No LT-23/77]

NOTIFICATIONS UNDER ESSENTIAL COMMODITIES ACT, 1955

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA) On behalf of Shri Prakash Singh Badal I beg to lay on the Table a copy each of the following Notifications under sub section (6) of section 3 of the Essential Commodities Act 1955 —

(1) The Sugar (Price Determination for 1976-77 Production) Order 1976 (Hindi and English versions) published in Notification No GSR 887(E) in Gazette of India dated the 19th November 1976

(2) GSR. 892(E) published in Gazette of India dated the 22nd November 1976 containing Corrigendum to Notification No GSR. 815(E) dated the 24th September, 1976

(3) GSR 913(E) (Hindi and English versions) published in Gazette of India dated the 9th December 1976 containing Corrigendum to Notification No GSR. 542(E) dated the 27th October, 1975

(4) GSR. 941(E) (English version) and GSR 942(E) (Hindi version) published in Gazette of India dated the 22nd December 1976 containing Corrigenda to Notification No. GSR 887(E) dated the 19th November 1976 [Placed in library See No LT-24/77]

REPORTS UNDER BANKING COMPANIES (ACQUISITION AND TRANSFER OF UNDERTAKINGS) ACT, 1970 AND ANNUAL REPORT OF DELHI FINANCIAL CORPORATION FOR 1975-76

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H

[Shri H. M. Patel]

M PATEL) I beg to lay on the Table —

(1) A copy each of the following Reports (Hindi and English versions) under sub-section (8) of section 10 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 19 0 —

- (i) Report of the working and activities of the Central Bank of India for the year ended the 31st December 1975 along with the Accounts and the Auditors Report thereon
- (ii) Report of the working and activities of the Bank of India for the year ended the 31st December 1975 along with the Accounts and the Auditors Report thereon.
- (iii) Report on the working and activities of the Punjab National Bank for the year ended the 31st December 1975 along with the Accounts and the Auditor's Report thereon.
- (iv) Report on the working and activities of the Bank of Baroda for the year ended the 31st December 1975 along with the Accounts and the Auditor's Report thereon
- (v) Report on the working and activities of the United Commercial Bank for the year ended the 31st December 1975 along with the Accounts and the Auditors Report thereon.
- (vi) Report on the working and activities of the Canara Bank for the year ended the 31st December 1975 along with the Accounts and the Auditor's Report thereon

(vii) Report on the working and activities of the

(viii) Report on the working and activities of the Dena Bank for the year ended the 31st December 1975 along with the Accounts and the Auditors Report thereon.

(ix) Report on the working and activities of the Syndicate Bank for the year ended the 31st December, 1975 along with the Accounts and the Auditors Report thereon.

(x) Report on the working and activities of the Union Bank of India for the year ended the 31st December 1975 along with the Accounts and the Auditors Report thereon

(xi) Report on the working and activities of the Allahabad Bank for the year ended the 31st December 1975 along with the Accounts and the Auditor's Report thereon

(xii) Report on the working and activities of the Indian Bank for the year ended the 31st December 1975 along with the Accounts and the Auditor's Report thereon

(xiii) Report on the working and activities of the Bank of Maharashtra for the year ended the 31st December 1975 along with the Accounts and the Auditors Report thereon

(xiv) Report on the working and activities of the Indian Overseas Bank for the year ended the 31st December 1975 along with the Accounts and the Auditor's Report thereon

[Placed in Library See No. LT-25/77]

(2) A copy of the Annual Report (Hindi and English versions) of the Delhi Financial Corporation together with a statement of Assets and Liabilities Profit and Loss Account and the Auditor's Report for the

year 1975-76 published in Notification No F 6/11/76-Fin(G) in Delhi Gazette dated the 18th November, 1976, under sub-section (3) of section 38 of the State Financial Corporations Act, 1951 [Placed in library See No LT-26/77]

NOTIFICATION UNDER MINES AND MINERALS (REGULATION AND DEVELOPMENT) ACT, 1957

THE MINISTER OF STEEL AND MINES (SHRI BIJU PATNAIK) I beg to lay on the Table a copy of the Notification No SO 101 (Hindi and English versions) published in Gazette of India dated the 8th January 1977 under sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957 [Placed in library See No LT 27/77]

NOTIFICATIONS UNDER TAMIL NADU PAYMENT OF SALARIES ACT, 1951 AND A STATEMENT re REASONS FOR DELAY IN LAYING NOTIFICATION

SHRI RAVINDRA VARMA I beg to lay on the Table —

(1) A copy each of the following Notifications (Hindi and English versions) under sub-section (3) of section 14 of the Tamil Nadu Payment of Salaries Act 1951 read with clause (c) (iv) of the Proclamation dated the 31st January, 1976 issued by the President in relation to the State of Tamil Nadu —

(i) The Tamil Nadu Legislature (Free Transit by Railway) Rules, 1973 published in Notification No GOMs 3744 in Tamil Nadu Government Gazette dated the 29th November, 1975

(ii) The Tamil Nadu Legislators' Pension Rules, 1977 published in Notification No. GOMs 200 in Tamil Nadu Government Gazette dated the 2nd February, 1977

(2) A statement (Hindi and English versions) showing reasons

for delay in laying the Notification mentioned at item (1) (i) above. [Placed in library See No LT-28/77]

REVIEW AND ANNUAL REPORT OF RICHARDSON AND CRUDDAS (1972) LTD., BOMBAY FOR 1975-76

THE MINISTER OF INDUSTRY (SHRI BRIJLAL VERMA) I beg to lay on the Table a copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act 1956 —

(1) Review by the Government on the working of the Richardson and Cruddas (1972) Limited Bombay, for the year 1975-76

(2) Annual Report of the Richardson and Cruddas (1972) Limited Bombay for the year 1975-76 along with the Auditor Accounts and the comments of the comptroller and Auditor General thereon [Placed in library See No. LT-29/77]

11.30 hrs.

BUSINESS OF THE HOUSE

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA) With your permission, Sir, I rise to announce that Government Business in this House during the week commencing 4th April, 1977, will consist of

(1) Further discussion on the Address by the Vice-President acting as President

(2) Discussion on the Resolutions seeking continuance of President's Rule in the States of Tamil Nadu and Nagaland

(Shri H. M. Patel)

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11.30 hrs

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(2) Discussion on the Resolutions seeking continuance of President's Rule in the States of Tamil Nadu and Nagaland.

[Shri Ravindra Varma]

(3) Discussion on the Resolution on increase in the export duty on coffee groundnut and cardamom

(4) Consideration and passing of

(i) The Caltex [Acquisition of Shares of Caltex Oil Refining (India) Limited and of the Undertakings in India of Caltex (India) Limited] Bill, 1977

(ii) The Petroleum Pipelines (Acquisition of Right of User in Land) Amendment Bill, 1977

(iii) The East Punjab Urban Rent Restriction (Chandigarh Amendment) Bill, 1977

(iv) The Government of Union Territories (Amendment) Bill, 1977

(v) The Delhi Administration (Amendment) Bill, 1977

(vi) The Prevention of Publication of Objectionable Matter Repeal Bill, 1977

(vii) The Food Corporations (Protection of Publication) Bill, 1977

as

(viii) The Food Corporations (Amendment) Bill, 1977 as passed by Rajya Sabha.

SHRIMATI PARVATHI KRISHNAN (Coimbatore) I have gone through the list which has been put before us by the hon. Minister. I am very sorry they have not included an extremely important discussion as far as Tamil Nadu is concerned. Today there is a very wide spread drought there; this drought is a perennial problem. Now we are told that 60 per cent electricity cut is also there. It is very important that we have a discussion because there has been wastage of the drought relief money in the past. We want that the drought relief should be directed towards something of a permanent nature. That is why I would like that this should also be discussed next week.

SHRI K. A. RAJAN (Trichur) I am sorry that the issues of Compulsory Deposit Scheme and Bonus are not included in the list. I wish important issues should not be left out. That is why I would like that this should also be discussed next week.

MR. SPEAKER I am myself bringing it to the notice of the Minister.

SHRI C. K. CHANDRAPPA (Cannanore) Mr. Speaker, Sir, I have listened carefully to the statement made by the hon. Minister. I would like that there should be short duration discussion on the handloom industry because this industry is facing crisis all over the country, in Kerala particularly. There are thousands and thousands of people who are starving today. That is also the position in Tamil Nadu.

SHRI VAYALAR RAVI (Churayinkal) The hon. Minister has included many items for discussion next week but unfortunately, I could not find any item for a short duration discussion on the scarcity of yarn for the weavers. The people of Kerala are suffering because of the scarcity of yarn and because of its black market. It must be included.

श्री जयेश्वर मिश्र (इलाहाबाद)

प्रधान मंत्री, सरदार कायमल जी व
जो अपने सप्ताह के लिए कार्य की योजना
दी है, उस को मेरे ध्यान से गुना है। हम
सोच भारत सरकार के बाद चायद मई म
मिलने और तब तक किसानों की गेहूँ की
कमत बटन लगेगी और राज्य सरकार उन
से गेहूँ की बमूनी गुरु कर दगी। मुझे यह
जानकारी मिली है कि भाज, कल और परछी
कृषि मंत्रालय राज्य सरकार के जो
प्रतिनिधि है, उन के साथ एक बैठक करने
जा रहा है और उस में खेती की कमत क
बमूल्यवादी की क्या कीमत हो, यह तय करने

जा रहे हैं। दिन भर का किसान इस सबाल पर बड़ा चिंतित है। इसलिए हम यह चाहेंगे कि इस चीज पर यहम के लिए कोई तरीका या समय निकालें जिस से यहां पर बहस हो सक और कृषि मंत्री जो इस बारे में बतलव्य दें क्या कि जिस तरह से पहले की सरकार यानी कांग्रेस सरकार ने कारखाने द्वारा की जा पैदावार की उस की तो कीमत बढ़ा कर और किसानों की पैदावार की कीमत को घटा कर बड़ बड़ सरमायदारा और कारखानेदारा से किसानों को मुदवाया है उस से किसानों में बड़ा रोष है। इसलिए इस बारे में बहस होनी चाहिए और किसानों को उचित दाम मिलन चाहिए जिस से देश का किसान यह महसूस कर सक कि उन के लिए कुछ परिवर्तन हुआ है।

MR SPEAKER These are the subjects mentioned by the hon Members. If time permits the Minister will take note of them. I think he would say that.

SHRI RAVINDRA VARMA Yes Sir

SHRI JYOTIRMOY BOSU (Diamond Harbour) Sir under

MR. SPEAKER Mr Besu, throughout the day you are taking charge of the House. I do not think, it is proper I do not now how many notices you have given. These are the things you have brought and I have mentioned them. It is not at all good. The House must be allowed to continue to do its work. If you are permanently on your legs, I would sit down and you can be on your legs all the time. I have got the list of the Members and I have called them. Because I have called them, you also want to get up and say something. That is not the way of doing things. Next item.

1157 hrs.

CALTEX [ACQUISITION OF SHARES OF CALTEX OIL REFINING (INDIA) LIMITED AND OF THE UNDERTAKINGS IN INDIA OF CALTEX (INDIA) LIMITED] BILL*

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILISERS (SHRI H N BAHUGUNA)

I beg to move for leave to introduce a Bill to provide in the public interest for the acquisition of the shares of Caltex Oil Refining (India) Limited and for the acquisition and transfer of the right title and interest of Caltex (India) Limited in relation to its undertakings in India and thereby to secure that the ownership and control of the petroleum products produced by the Caltex Oil Refining (India) Limited and marketed and distributed by the said undertakings, in India are so distributed as best to subserve the common good.

MR SPEAKER The question is

That leave be granted to introduce a Bill to provide in the public interest, for the acquisition of the shares of Caltex Oil Refining (India) Limited and for the acquisition and transfer of the right title and interest of Caltex (India) Limited in relation to its undertakings in India and thereby to secure that the ownership and control of the petroleum products produced by the Caltex Oil Refining (India) Limited and marketed and distributed by the said undertakings in India, are so distributed as best to subserve the Common good."

The motion was adopted

SHRI H N BAHUGUNA I introduced the Bill.

*Published in Gazette of India Extraordinary, Part II, Section 2 dated 1-4-77

†Introduced with the recommendation of the Vice President Acting as President.

12.00 hrs

STATEMENT RE CALTEX [ACQUISITION OF SHARES OF CALTEX OIL REFINING (INDIA) LIMITED AND OF THE UNDERTAKINGS IN INDIA OF CALTEX (INDIA) LIMITED] ORDINANCE, 1976

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILISERS (SHRI H N BAHUGUNA) I beg to lay on the Table an explanatory statement (Hindi and English versions) giving reasons for immediate legislation by the Caltex [Acquisition of Shares of Caltex Oil Refining (India) Limited and of the Undertakings in India of Caltex (India) Limited] Ordinance 1976 [Placed in Library See No LT 30 77]

12.01 hrs

ELECTION OF DEPUTY SPEAKER

SHRI YASHVANTRAO CHAVAN (Satara) I beg to move

"That Shri Godey Murahari, a member of this House be chosen as the Deputy Speaker of this House"

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA) I second it.

MR. SPEAKER. There are no other names before the House

Anyway I will put the motion to the House. The question is

"That Shri Godey Murahari, a member of this House be chosen as the Deputy Speaker of this House."

The motion was adopted

THE PRIME MINISTER (SHRI MORARJI DESAI) I offer my con-

gratulations to Shri Godey Murahari on his election as Deputy Speaker. I hope and trust that he will conduct the proceedings of this House with fairness and in true democratic parliamentary traditions

I assure him of the full co-operation from all members of this House

SHRI YASHVANTRAO CHAVAN May I join in offering my congratulations to the Deputy Speaker Shri Murahari

Shri Godey Murahari is not new to the parliamentary life. Though he is sitting in this House for the first time, he has been a Member of the other House where he has functioned as the Presiding Officer and that too very fairly and effectively and to the satisfaction of all sections of the House. I have no doubt that the same traditions he will continue to maintain and I can assure him, as the Prime Minister did, of our full co-operation.

SHRI SAMAR MUKHERJEE (Howrah) On behalf of my Party the CPI(M) I congratulate Mr Murahari on his being elected unanimously as the Deputy Speaker

I will request Mr Murahari to keep in view the conditions under which he has been elected, the new background of the national situation and the hopes raised in the people. I hope he will prove himself worthy of the expectations raised in the minds of the people. I offer him the full co-operation of our Party in discharging his responsibility

MR. SPEAKER Anybody from AIADMK?

All right Shrimati Parvathi Krishnan

SHRIMATI PARVATHI KRISHNAN (Coimbatore) On behalf of CPI I would like to extend our warmest felicitations to Mr Murahari and assure him of our fullest co-operation.

We have had close associations with him outside the House and we are aware of his very affable and equable temperament and I am sure he will bring great dignity to the office he is about to enter upon

SHRI EBRAHIM SULAIMAN SAIT (Manjeri) On behalf of the Muslim League I would like to extend my greetings and felicitations to Mr Godey Murahari on his election as Deputy Speaker

Shri Murahari is a person of very charming habits and he has discharged his duties as Deputy Chairman of the Rajya Sabha previously I hope he will do justice to all sections and Parties in this House and I convey my greetings to him and wish him all success

MR SPEAKER I am happy to join hon Members in felicitating Shri Godey Murahari on his election as the Deputy Speaker of this august House My congratulations to him. Shri Murahari comes to this House with a rich experience of parliamentary life in the other House

To me personally, it is a matter of satisfaction to have an experienced colleague like Shri Murahari to share the responsibilities of the Chair In parliamentary democracy Presiding officers are naturally expected to maintain high standards of impartiality and integrity in the performance of their duties so as to inspire confidence among all sections of the House and among all members irrespective of their party affiliations. While ensuring the orderly conduct of the business and its timely completion we have to take particular care to see that all sections of the House have adequate opportunity to put forward their view-points and have no legitimate cause for grievance on that count

I again heartily congratulate Shri Murahari and wish him well

SHRI GODEY MURAHARI (Vijaywada) Mr Speaker, Sir, I am deeply grateful to all the colleagues who have just spoken as well to you

I know that as the Deputy Speaker of this House I will have to exercise the utmost impartiality that is expected of a Presiding Officer and I shall endeavour to do so as I did in the other House Let me assure everybody in this House—whether they are sitting on the other side or this side—that as far as I am concerned henceforward I belong to all sections of the House and not to any particular section

As far as you are concerned, I have had some association with you while being in Parliamentary delegations or otherwise and all my experiences has been very pleasant. I know that in the conduct of my duties here as Deputy Speaker you will be guiding me as an elder brother and giving me the utmost affection that I can get from anybody, especially in view of the earlier association that we have had while you were Speaker of this House

We have just passed through one of the greatest experiments in democracy and come out as one of the biggest democracies that have experimental in the general election in a free and fair manner I am sure the will of the people as reflected in this House will be respected by all sections of political opinion. I am sure in the conduct of business in this House we as Presiding Officers have a very onerous task because we have to keep a very delicate balance between what goes on in the House and the aspirations of the people outside. I am very conscious that even while serving as Presiding Officer I must be conscious of the people's aspirations and try to see that this House reflects the aspirations of the people outside And therefore I can assure you with whatever little capacity I may be

[Shri Godey Murahari]

serving here I shall endeavour to keep these ideals in view and try to make the experiment of parliamentary democracy in this country as successful as it should be and I expect all sections of the House would give me their co operation because I know many people sitting on the other side are friends and colleagues with whom I have worked even outside this House. As a matter of fact with many of them I had started my politics and therefore I am very confident that in the conduct of my duties as Deputy Speaker I shall not only get the co operation from the Treasury Benches but also the side to which I belong now. At the same time I am conscious of the fact that it is not always the Opposition that needs protection from the Chair sometimes it is the Treasury Benches—I think many times it is the Treasury Benches that require protection from the Chair because when the Opposition forms the Ministry it is often times the Chair which has to protect the Treasury Benches. I am conscious of all these factors while I take up the duties of the Deputy Speaker.

I once again thank everyone of those who have spoken as also you for felicitations

12.10 hrs.

MOTION OF THANKS ON THE ADDRESS BY THE VICE-PRESIDENT ACTING AS PRESIDENT—Contd

MR. SPEAKER Now we will take up further discussion on the President's Address. We have taken 4 hours 45 minutes. Hitherto the leaders of the parties were speaking. Naturally I gave them enough time. I did not want to disturb them. But at least from now if we reduce the time limit, and if each Member can take five to ten minutes larger number of people will be able to speak.

To facilitate more new members to have the opportunity to take part in the debate I am suggesting that ten minutes may be taken by each one of you so that large number of members can be accommodated. Mr. Yamuna Prasad Shastri has already taken 26 minutes. I would request him to conclude quickly so that others may get a chance.

श्री यमुना प्रसाद शास्त्री (रीवा)
माननीय अध्यक्ष महोदय कल मैं जब बोल रहा था तो मैंने आप के माध्यम से सदन में यह अनुरोध किया था कि ज.ता पार्टी की सरकार वैदेशिक मामलों में वास्तविक रूप में गुट निरपेक्षता की नीति को मानगी। लेकिन उस के लिये दो मापदण्ड नहीं हूँ कि कहीं पर अगर मानव अधिकारों का हनन हो तो उस के विरुद्ध तो आवाज उठावें लेकिन अगर दूसरे गुटों के देशों में मानवता की हत्या हो तो उस के लिये हम कुछ न बोलें। इस को हनन गुट निरपेक्षता की नीति नहीं मानत। जनता पार्टी की सरकार मानवाधिकारों को हनन के विरोध में अपनी आवाज बुलन्द करेगी चाहे वह कभी ब्लाक के देशों में हो या समरीकी ब्लाक के देशों में हो। जहाँ पर भी मानवाधिकारों का हनन किया जायगा उसकी गुंज जनता पार्टी की सरकार सारे विश्व के सामने रखेगी और यही सच्ची गुट निरपेक्षता का मापदण्ड रहेगा।

इसके प्रतिरिक्त मैं ने कन प्रतिपक्ष के नेता से यह सुना कि सविधान के 42वें संशोधन में हमारे संसद की प्रभुसत्ता की स्वीकार किया है और उसमें हम पीछे नहीं हटेंगे। यह सुनकर मुझे आश्चर्य हुआ। संसद की प्रभुसत्ता के लिये आप ने 42वें संशोधन में क्या किया है? आप लोगों ने संसद की प्रभुसत्ता की निर्वम हत्या की है। पिछले 20 महीनों के अन्दर संसद के प्रधान माननीय सदस्य कुछ बात कहें

[श्री यमुना प्रसाद शास्त्री]

क्षितिज पर जो लिखा है, उस को आप अच्छी तरह से देखें और जो हवा का रुख है उस को अच्छी तरह से पहचानें। जनता पार्टी की सरकार जनता की आकांक्षाओं को पूरा करने के लिये सविधान में जो सशोधन करना चाहती है, हम अपेक्षा करेंगे कि आप समय की गति को पहचानेंगे और उस का समर्थन करेंगे।

शासकीय कर्मचारियों के अधिकारों को छीना गया और उन में से कई को मनमाने ढंग से बर्खास्त कर दिया गया और न्यायालय की शरण में जानें से भी उन को रोक दिया गया, क्या आप इस तरह से लोकतन्त्र को प्रयत्न सचद की प्रशंसा को रक्षा करना चाहते हैं? इस तरह के प्रावधानों को यह शासन समाप्त करना चाहता है। मैं अपेक्षा करता हूँ कि आप इन बातों पर गंभीरता पूर्वक विचार करेंगे।

प्रतिपक्ष के नेता ने कहा कि इस देश की जो प्रगति हुई है उस के लिये अन्तर्राष्ट्रीय सस्थाओं ने प्रमाण पत्र दिया है। उन्होंने हम से कहा कि इस तरह की बातों की क्या भनदेखी करना चाहते हैं? मैं कहना चाहता हूँ कि अन्तर्राष्ट्रीय सस्थाओं ने क्या कहा है, इस से इस देश की प्रगति का निष्ठा-जोधा नहीं लगाया जा सकता है। इस देश में क्या प्रगति हुई है इसका आकलन इस देश की जनता करेगी और वह आकलन इस तरह से होना है कि इस देश का जो सब से निचला तबका है, उन लोगों के जीवन में कितना परिवर्धन पाया है। इस को भी अन्तर्राष्ट्रीय सस्थाओं ने देखा है, आप, गलतफहमी में न रहें, विदेशी प्रचारकों ने आप की कलाई को धाना है। जिस तरफ आप ध्यान दिखाना चाहते हैं, उस के बारे में अन्तर्राष्ट्रीय

सस्थाओं को पता है। आप ने कहा कि हम ने इन्फ्लेशन को, मुद्रास्फीति को समाप्त कर दिया है, आप विदेशी पत्रों और अन्तर्राष्ट्रीय सस्थाओं की बात करते हैं उन्होंने भी लिखा है कि कृत्रिम तरीके से मुद्रास्फीति को कम नहीं किया जा सकता है। इस को कम करने के दूसरे तरीके हैं, उत्पादन बढ़ाना चाहिये, लोगों को काम मिलना चाहिये और उन की श्रमशक्ति बढ़नी चाहिये। लेकिन आप ने इस इन्फ्लेशन को दूर करने के लिये क्या तरीके अपनाये हैं, जो गरीब से गरीब मजदूर है, जो मुश्किल से अपना पेट भरता है उस को जो राशि मजदूरी या महुगाई भत्तों की मिलती है उस में से कुछ रकम आप न अनिवार्य बचत योजना में, सी० डी० एस० में जमा कर लेते हैं।

इस देश के सार्वजनिक क्षेत्र और निजी क्षेत्र के मजदूरों तथा सरकारी कर्मचारियों आदि छोटे से छोटे भादमियों की आमदनी का एक हिस्सा अनिवार्य जमा योजना में जमा कर दिया गया है। जहाँ तक कीमतों का सम्बन्ध है, रिजर्व बैंक की रिपोर्ट और वित्त मंत्री महाशय के भाषण से स्पष्ट है कि पाक मूल्य में 12½ प्रतिशत और फूटकर मूल्यों में 35 प्रतिशत की वृद्धि हुई है। कीमतें बढ़ी हैं, लेकिन लोगों की माघी आमदनी की कम्पलसरी डिपॉजिट स्कीम में जमा कर दिया या है। इस प्रकार पिछली सरकार ने करोड़ों लोगों की भूखों मरने पर विचार किया है और उन के परिवारों को दशा दयनीय हो गई है। क्या मुद्रास्फीति को कम करने का यही तरीका है?

बेकारी में भी वृद्धि हुई है। अभी सदन में बताया गया है कि छાठ जूट मिलें बन्द हैं, जिस के परिणामस्वरूप ४०,००० मजदूर बेकार हैं। इसी प्रकार टैक्सटाइल मिलों के साथ मजदूर भी बेकार हैं। यह है पिछली सरकार

की आर्थिक नीति और उस के द्वारा अर्थ-
व्यवस्था में लाया गया सुधार ।

मैं जनता सरकार से यह अपेक्षा करता हूँ कि वह देश के समुचित विकास की ओर ध्यान देगी । पिछले तीस वर्षों ~ इस देश के कुछ हिस्सों की स्थिति काल से भी बदतर हो गई है । कुछ प्रदेश ऐसे हैं जहाँ न सिंचाई न साधन है, न उद्योग धंधे हैं और न कोई रेलवे लाइन है । मुझे आशा है कि जनता सरकार देश के समुचित विकास के लिए विशेष प्रयत्न करेगी ।

इन शब्दों के साथ मैं राष्ट्रपति के अभि-
भाषण पर पेश किये गये धन्यवाद प्रस्ताव
का हार्दिक समर्थन करता हूँ ।

SHRI K. LAKKAPPA (Tumkur)
Mr Speaker, Sir, I watched with rapt
attention the participation of new
Members and also listened to the
speeches of Sarvashri Karpooi
Thakur and Hegde

My leader Mr Chavan, has put it
very rightly that some of the new
Members on the opposite side are our
old socialist friends. Some of them
are, of course, new friends

Mr Speaker Sir, most of the
speakers in their speeches have only
blown out the air and dust of the
elections and it was a rather pale
picture that they have depicted about
the policies and programmes of the
Janata Party. They have made mostly
statements of their election experi-
ences and at the same time they have
castigated the good things done by
the previous government as according
to them, they were bad.

Of course, I appreciate that the new
government during its short existence
of seven days cannot do much. I can
also see that the new Prime Minister
has made a categorical statement
while assuming office that the verdict
of the people will be respected and in
accordance with the verdict of the
people, that there is no malice, there is

no vindictiveness and there is no pre-
judice and there is no jealousy. But
in most of the speeches, I think most
of the members criticised the defects
of the previous government and
sometimes even accused, in the
choicest words, the previous govern-
ment and is set up. Sir most of
our friends on this side are also
representatives of the people and
the Janata Party has been in exis-
tence only since 3-4 months. But
here is the Congress Party which has
been saddled for the existence and
for the freedom of this country and
most of the stalwart leaders like
Shri Jagjivan Ram and our present
Prime Minister were part and parcel
of this Congress Party and most of
the new members may not be know-
ing it, but we respect the leader of
this House, the Prime Minister

SHRI SURATH BAHADUR SHAH
(Kheri) You Congress was born
only in 1969

SHRI K LAKKAPPA With all
respect, our Prime Minister, while
assuming office has categorically stat-
ed that he will not run the Govern-
ment with the prejudice of the pre-
vious government. Sir, most of the
Members of that Party have catego-
rically castigated personally the pre-
vious Prime Minister and various
speakers including the sharp speaker,
Shri Hegde have made certain spee-
ches discrediting the accountability
and the respectability and whatever
the things done by the previous
government. I never expected this
attitude. I do not know the mind
of the Prime Minister, but most of
the Members must know what the
assurance given by the hon Prime
Minister to this House is. Sir, they
have charged that the Congress Party
has ruined this country, the Congress
Party is responsible for mutilation of
the Constitution and all these things.

MR. SPEAKER Mr Lakkappa,
there is a clarification.

THE PRIME MINISTER (SHRI MORARJI DESAI) I have not given any blanket assurance of any kind. I only said that there will be no witch hunting, there will be no vengeance and we are not going to do anything deliberately against anybody. But if any complaints come, we will have to go into them. More than that, when the hon. Members and even the Leader of the Opposition call the Janata Party an animal, how do they expect my colleagues here not to take notice of it?

MR. SPEAKER Mr. Lakkappa, I don't think anybody has anything to say personally against the ex-Prime Minister. Certainly not. They will have to criticise the policies and they have criticised. There is nothing wrong in that. I have heard the speeches. Personal attack was not at all there. About the policy that was followed and all that, they said it was a wrong policy. But there was no personal attack. We shall not allow that. Mr. Lakkappa, go ahead with your speech.

SHRI SURATH BAHADUR SHAH
On a point of information, Sir.

MR. SPEAKER How can the Chair give you information?

SHRI K. LAKKAPPA Sir, the President's Address has given or painted a very gloomy picture about it and it could not spell out what is the policy, the programme and the ideology of the Janata Party because I know the inner contradictions of the Janata Party consisting of these people. They have got a lot of contradictions themselves. Of course Mr. Patel has also stated that this is not the policy and philosophy of their party, but they have presented a Budget which was prepared by the previous Government and have done so only as a constitutional requirement. Therefore, Sir, I do not want to comment on it.

Sir, regarding the President's Address, should it not reflect the real

picture and the programme which is envisaged or likely to be envisaged by the present Government? It should bring out all that they had inspired and pictured in their manifesto. Even that has not been made clear in the President's Address. Why? My friend Hegde said that nothing had been done, I should like to quote the figures to show the achievements of the twenty point economic programme. (Interruptions) You must give credit to the good things that were done by the previous government. As Mr. Subramaniam pointed out yesterday, if you want to demolish the entire image of the country, you may do so. The hon. Prime Minister said that the attitude of the present government would not be a vindictive one or prejudicial to the nation. I am glad about that. Our Leader had also assured him that wherever possible there will be co-operation and constructive opposition. You cannot say that there was no discipline, no production or no achievement during the Emergency, and that the 20 point programme was a farce. The index of production for basic industries rose from 91.3 to 102.7 in 1973-76. There was a 12 point rise in coal production, 15.3 point rise in fertilisers. So, you cannot say that there were no economic achievements and there were only Emergency and black laws. In your opinion there may have been black laws. But a verdict in our favour has been given in the south. Do you think the votes in the South are not angels and all the voters in the north are all angles. Emotional considerations might have been there in the north and they might have upset the elections.

12.33 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

We believe in democracy, socialism and secularism and there will be further elections also. This is not

the first time that I am here, I am here and this is the third time. Steel production increased by 179 cement production by 17 points power generation by 13.2 crude oil by 9.8 and aluminium by 55.3 points, and vanaspathi by 40. They were referring to black laws. What are the black laws? There was ceiling on agricultural land and surplus land was distributed in the country. I know my friend Karpuri Thakur, he represents the minorities in Bihar, he was in my party earlier. He is a very respectable leader and he says that no land was distributed. Here is a report which says that the total number of returns filed under the ceiling laws was about 1321 lakhs, seven lakhs of cases have been disposed leading to the declaration of 1785 lakh acres of land as surplus land.

Let the total number be 5 lakhs or 10 lakhs or 17 lakhs. But you will agree that land reforms have taken a deep root in this country. Are they not progressive measures? There is no use discrediting the previous Government and the previous leader for bringing forward social legislations like these. Many hon. Members would agree with me that social legislation like land reforms etc. is a great achievement. 57 per cent of the total population in this country are living below the poverty line and they are rural based. They have been for the first time given house sites and other facilities during the Congress Government rule under the leadership of Shrimati Indira Gandhi. You are aware that there is no problem of house sites in Manipur, Nagaland, Arunachal Pradesh, Goa, Diu and Daman, Lakshadweep and Mizoram. In the remaining States, about 68 lakh house sites have been allotted to the landless and weaker sections. In States like Gujarat, Haryana, Himachal Pradesh, Maharashtra, Punjab, Rajasthan, UP and the Union Territories of Chandigarh and Delhi, allotment of house sites has just been

completed. For the construction of houses on the sites allotted to them, most of the States have taken up the question of providing either free or at subsidised cost building materials and other things. But you cannot say that this work has to be completed in full within a short period of time. You know that ours is a big country where the Government machinery has to be geared up to do this job. Of course, there may be mistakes and faults on the part of the bureaucracy. But do not make such remarks against the previous Government which had brought forward progressive measures. Take for instance, abolition of bonded labour. Which Government had abolished the bonded labour? Bonded labour could not be abolished for the last 30 years or so. At that time our present hon. Prime Minister was the Finance Minister and the Deputy Prime Minister. At that time I was on the Opposition side. The socialist friends who are now sitting on the other side were demanding social legislation like abolition of bonded labour. This was done by the Congress Government. But if we had failed to abolish the bonded labour, then there would have been a lot of criticisms both inside and outside the House.

Then other social measures like liquidation of rural indebtedness, moratorium on the recovery of loans taken by landless and small farmers were also brought forward. Do you want to do away with these legislations? Is it the policy of the present Government to do away with these legislations? Is it the reflection of the will of the people of this country? I do not think it is so. I think in the northern belt, certain emotional issues were being involved and that is why the election results in these areas were upset. But it is not so in southern States. It is a credit for the Congress Party that their programmes have reached the hearts of the common people there. My experience in the recent elections is

[श्रीमति जूना ल गोरे]

भी देश बनाने की है उनकी जो इच्छा है उसको भाषकी ध्यान में रखते हुए आपके लिए यह जरूरी है कि उनके लिए आप भ्रष्टारह साल की उम्र मतदान की कर दें ताकि उनको मतदान का हक मिल जाए। यह काम नई सरकार को जल्दी से जल्दी करना चाहिये। यह बहुत जरूरी है।

दूसरा बड़ा सवाल बेरोजगारी का है। कुछ हद तक अभिभावक में इसका जिक्र किया गया है। इस सवाल को भी हमें हल करना है। पिछले तीस साल में जिस प्रकार का नियोजन देश में हुआ है, प्लानिंग हुआ है उसकी वजह से यह सवाल सम्भर होता चला गया है। इस सवाल को हमें हल करना है तो ऊपरी चीजें करके यह सवाल हल नहीं होगा। इसके लिए नियोजन का पूरा तरीका हम लोगों को बदलना पड़ेगा। फिर भी कम से कम प्रायः जो देहातो में हैं लोग बेरोजगारी देख रहे हैं और वहां से शहरों की तरफ भी लोग भाग रहे हैं और इसकी वजह से शहरों का सवाल भी बहुत पचीसा बन जाता है उनको शहरों की तरफ आने से रोकने के लिए मैं समझती हूँ कि रोजगार गारंटी स्कीम जिस प्रकार की महाराष्ट्र में लागू की गई है आपकी लागू करनी होगी। वहां पर कुछ हद तक यह काम शुरू किया गया है। इस प्रकार की कोई योजना पूरे देश के लिए आप बनाए तो मैं समझती हूँ कि इनसे जरूर कुछ हद तक काम बन जाएगा। एम्प्लायमेंट गारंटी स्कीम की कल्पना बहुत अच्छी है। महाराष्ट्र में जब मैं वहां विरोधी दल में थी तो पूरे विरोधी दल ने इसके लिए अपना सहकार दिया था। लेकिन यह बहुत हुए मुझे बहुत फसल होता है कि, इस सहकार के बाजूद भी इसका जिस तरह से इम्प्लेमेंटेशन होना चाहिये या नहीं हुआ है, पूरे तरीके से इस अच्छे कानून को भी लागू करने का काम वहां की सरकार ने नहीं किया है और इस को से कर प्रायः हम नहीं कह सकते हैं कि

एम्प्लायमेंट गारंटी स्कीम महाराष्ट्र में सफल हो गई। लेकिन मेरा विश्वास है कि जनता पार्टी की सरकार जब ऐसी योजना लायेगी पूरे देश के लिये तो उस के जरिये देहातो में बेरोजगारी को हल करने में कुछ हद तक कामयाब हो सकेगी। मेरी मांग है कि रिजर्व बैंक में एक रिवाल्विंग फंड सरकार बना दे और इस निधि को ग्राम पंचायत के हाथ में सुपुर्द कर के नीचे के स्तर से योजना की रूप रेखा बनाई जाये तभी जाकर देहातो की समस्याओं का हल हो सकेगा, खेती में सुधार हो सकेगा और साथ साथ बेरोजगारी भी दूर कर सकेगी। जनता पार्टी सरकार जरूर इस बारे में सोचे और कुछ योजना जल्द से जल्द बनाये।

हम कहने हैं कि शिक्षा में सुधार कर रहे हैं, शिक्षा का ढांचा कुछ बदल रहे हैं। लेकिन प्रगत में जो बोकेगनल ट्रेनिंग का काम होता चाहिये या वह प्रायः नहीं हो रहा है। चाहे प्रगत प्रगत स्तर में कुछ भी दिया हो परन्तु वास्तव में सुधार नहीं किया जा रहा है। मैं मसलती हूँ कि यह बहुत ही जरूरी बात नई सरकार के सामने ग्राहवाहन के रूप में है।

दूसरा सब से बड़ा सवाल कीमतों की बढ़ोतरी का है। प्रायः देश की जनता बहुत पीड़ित है कि जरूरी चीजों की कीमतें बढ़ती रहती हैं और इन पर रोक लगाने के लिये प्रायः तक का जो कांग्रेस सरकार का जुर्बा रहा है वह बहुत ही बुरा रहा। जब भी कीमतें बढ़ती रहतीं तो उन की रोकने का काम सरकार ने नहीं किया। मैं तो यहां तक कह सकती हूँ कि जगह जगह पर हमने यह देखा है कि जब किसी चीज की कमी महसूस हुई तो इस न प्रत्यक्ष काला बाजार करने वाले उठते रहे और उन को कांग्रेस सरकार की तरफ से मदद मिलती रही। इसलिये जरूरी वस्तुओं की कीमतों के बाढ़ में सरकार ऐसे कदम उठाये कि जहां कभी महसूस होती है वहां अपने बकरे स्टाक से

प्रावश्यक वस्तुयें तुरन्त पहुँचा कर बाजार में कीमता को न बढ़ने दे। इस की व्यवस्था इस सरकार को करना बहुत जरूरी है। मैं सरकार का ध्यान धींचना चाहूँगी कि गये कुछ दिनों में कई चीजों के दाम बढ़ने लगे हैं, चाय की पत्ती जैसी चीज जिस का हर भादमी इन्धेमाल करता है उसने दाम चुनाव के समय में पिछले एक महीने में 14 द० से लेकर 25, 26 द० प्रति किलोग्राम बढ़ गये। मेरी मांग है कि इस का खुलासा होना चाहिये कि चाय की इतनी कीमतें क्या बढ़ी? हमारे जैसे लोगों के पास जो सूचना आती रहती है काफ़ी लोग कहते हैं कि चुनाव में जिस प्रकार से चाय और मीठ प्रोड्यूसर्स से कांग्रेस पार्टी ने पैसा लिया उसकी वजह से ही कीमतें बढ़ी हैं। यह भ्राम तो पर लोग कहते हैं और इस को जाच होनी चाहिए कि कौन सी इन्डस्ट्री से कितना पैसा लिया गया है। जरूर इस की मातृमात मिल सकती है। इसके बारे में जाच करके हमका देखना चाहिये। आज ऐसे ही चीजों की कीमतें बढ़ रही हैं, जिसको लेकर सामान्य भादमी बहुत परेशान है। मैं कहना चाहती हूँ कि पिछले चन्द दिनों में ही फिर सीमेंट की कमी हुई है और कीमतें बढ़ रही हैं। मेरा कहना यह है कि यह आर्टिफिशियल है कृत्रिम रूप से बाजार में कमी करने हैं और इसको लेकर कीमतें बढ़ाने की नीतिगत होना है। अब नई सरकार को देखना चाहिये कि इस तरह की बातबाजो जो अब तक चलती आई है, इसके प्रागे नहीं चलेगी। इस हवा का एक बार पैदा होता बहुत जरूरी है। इस दृष्टि से इन कीमतों को तरफ देना बहुत जरूरी है।

13 00 hrs.

मैं एक दो दिन से भ्रमबारा में पढ़ रही हूँ कि तेल की और दालों की कीमतें घट रही हैं। मुझे मालूम नहीं है, मैं इसका पता लागाम्गी लेकिन मैं यह समझती हूँ कि यह सरकार जरूर इस मामले में कर सकती है और इसको करना चाहिये। इस सरकार की फ़ैसला करना

चाहिये कि कीमतें कम कराने के इस काम की करना है, जनता की दृष्टि से यह बहुत महत्वपूर्ण काम है।

यह कहा जाता था कि आपात स्थिति में जो फायदे हुए, उसमें सबसे बड़ा फायदा यह था कि आर्थिक स्थिति सुधर गई है, इन्फ्लेशन कम हो गया है, कीमतें कम हो गई हैं। मैं कहना चाहती हूँ कि आपात स्थिति के दौरान जब कि होलसन इन्डेक्स नीचे आ गया था तब भी कन्स्यूमर इन्डेक्स नीचे नहीं आया था। कन्स्यूमर लोग व लिये कीमतें बढ़ती रहो हैं, कम नहीं हुई हैं। गये एक साल में तो, जब कि आपात स्थिति काममें थी, यह कीमतें बहुत तज़ो से फिर बढ़न लगी और ये 9 फीसदी बढ़ गई। कई चीजों के बारे में तो कीमतें 33 फीसदी तक बढ़ गईं।

असल में आपात स्थिति के बारे में बताया जाता था कि इससे हमारी कुछ आर्थिक स्थिति सुधर गई है, यह बात सही नहीं है, यह बिल्कुल तय बात है। इस प्रकार से कृत्रिम रूप से यह काम नहीं किया जा सकता और इसीलिये मैं अर्थ करणी कि भ्राम लोग को इस काम को बहुत पहचान से देखकर इसका फैसला करना पड़ेगा और नई सरकार को इन कीमतों के बढ़न पर रोक लगायी पड़ेगी।

मैं समझती हूँ कि जब कभी कन्स्यूमर प्राइस की हम बात करते हैं तो कहने में तो आता है, वहाता में इस प्रकार का प्रकार आज तक कांग्रेस वाला ने किया है कि यही लोग हैं जो कहते हैं कि किसान को कम कीमत मिले। तो यह बात सही नहीं है। नई सरकार ने बिल्कुल ठीक रूप से राष्ट्रपति जी के अभिभाषण में कहा है कि किसान को उनके उत्पादन की पूरी कीमत मिले, इसके लिये ठीक पग उठाने चाहिये। जैसा कि श्री जनेश्वर मिश्र जी ने कहा कि इस सदन में भी इसके बारे में चर्चा होगी, तो यह बहुत अच्छा होगा। लेकिन साथ

[श्रीमती मृणाल गोरे]

हम साथ जो बीच का मिडिल मैन कीमतें बढ़ाने का काम करता है, उसके लिये भी नई सरकार को कुछ न कुछ करना चाहिये।

MR. DEPUTY-SPEAKER Would you like to continue after Lunch?

SHRIMATI MRINAL GORE Yes.

MR. DEPUTY-SPEAKER The House stands adjourned till 2 p.m.

13 04 hrs.

The Lok Sabha adjourned for Lunch till Fourteen of the Clock.

The Lok Sabha re-assembled after Lunch at Five Minutes past Fourteen of the Clock.

[MR. DEPUTY-SPEAKER IN THE Chair]

STATEMENT RE FIXATION OF INTERIM RATES OF WAGES FOR WORKING JOURNALISTS AND NON-JOURNALIST NEWSPAPER EMPLOYEES

MR. DEPUTY-SPEAKER Shri Ravindra Varma to make a statement.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA) Sir, a statutory Wage Board for non-journalist newspaper employees was constituted by the Central Government on the 11th June, 1975, under section 13C of the Working Journalists and Other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1935.

A similar Wage Board for working journalists was also constituted under section 9 of the Act, on the 6th February, 1976. The Central Government, being of the opinion that it was necessary to fix interim rates of wages both in respect of non-journalist employees and working journalists, sought

the advice of the two wage boards in the matter. The advice of the Wage Board for non-journalists as well as that of the Wage Board for Working Journalists was made available to the Government in June and October, 1976 respectively. Both the Wage Boards were of the view that non-journalists and working journalists should be given relief from the 1st June, 1975. The Wage Boards also proposed further enhancement in the quantum of relief from 1st January, 1976. An immediate decision should have been taken in view of the urgency of providing relief to the employees. Unfortunately, the then Government took no decision in the matter and kept the question pending.

Government have now taken a decision to fix immediately the interim rates of wages under sections 13A and 13D of the Act on the basis of the advice tendered by the Wage Board for the Non-journalists and the Wage Board for Working Journalists. Government have also considered carefully and sympathetically the question of grant of relief from the 1st of June, 1975 as proposed by the two Wage Boards. While the Government can well understand the case for retrospective fixation of interim wage rates, they have to consider the matter within the framework of the law. Whereas sub-section (3) of section 12 of the Act enables final recommendations of Wage Board being brought into operation retrospectively, there is no such provision in the existing Section 13A relating to the fixation of interim wage rates. The law as it stands, therefore, does not clearly empower the Government to fix interim wage rates retrospectively. Government, therefore, propose to take early action to examine in detail whether Section 13A of the Act needs to be changed to give clear power to Government to fix interim rates of wages with retrospective effect.

I am glad to announce that without delaying the matter further, Government have decided to take action to

fix the interim wage rates, according to the recommendations of the two Wage Boards, to come into immediate effect from the date of notification.

I am also glad to inform the House that as a result of the fixation of the interim wage rates there will be an increase in the existing emoluments of non-journalist employees ranging from Rs 23 to Rs 85 p.m. depending upon the class of newspapers, weeklies, periodicals etc to which they belong. In the case of working journalists the increase will similarly range from Rs. 85 p.m. to Rs 131 p.m. Relief is also being given to part-time correspondents.

1404 hrs.

MOTION OF THANKS ON THE ADDRESS BY THE VICE-PRESIDENT ACTING AS PRESIDENT—
contd

MR. DEPUTY-SPEAKER Shri-mati Minal Gore to continue her speech

श्रीमती मृणाल गौरे (उत्तर बम्बई) : अध्यक्ष महोदय, मैं इस सदन के सामने यही बात रख रही थी कि आखिर इस देश की जनता ने दो बातों की समझौता चुनाव के सिलसिले में जिस की ध्यान में रख कर नई सरकार को अपना स्थान प्राप्त करना है। मैं यह समझती हूँ कि एक बहुत बड़े सवाल के ऊपर इस देश की और इन सरकार की सोचना है कि पिछले तीस सालों में जिस प्रकार का कारोबार इस देश में चला उस के कारण जनता में एक प्रकार की मायूसी फैल रही थी कि जो हो रहा है इस में मैं कुछ नहीं कर सकते हैं, इस को हम बदल नहीं सकते हैं और जिस प्रकार से परिस्थिति ने शिकार हम बनते रहे हैं उन का कोई इलाज नहीं है, इस प्रकार की एक भावना देश में फैल गई थी। यह सब से बड़ी बड़ी पैदा हो रही थी और मैं यह समझती हूँ कि आज इस चुनाव ने देश की

पूरी जनता में एक प्रकार का आत्म विश्वास जगा दिया कि हम जो चाहते हैं, जो तय करते हैं वह कर पाएंगे। यह आत्म विश्वास उस ने पैदा कर दिया और इसी को ले कर मैं यह कहना चाहती हूँ कि इस देश की जो बहुत गरीब जनता है, दलित समाज है उस में भी हम ने यह आत्म विश्वास इस समय देखा। साथ साथ महिलाओं में भी मैंने इस चुनाव के सिलसिले में यह देखा कि एक प्रकार की नई जागृती हो गई है कि देश की जो इस समय स्थिति है उस को समझ कर हम भी उस में कुछ अपना योगदान देंगे।

मेरे स्थान से हमारी आवाजों का जो आधा हिस्सा है वह हमारी वही और महिलाएँ हैं। देश की प्रगति के लिए उनका एक्टिव पार्टिसिपेशन लेना बहुत ही आवश्यक है। इस दृष्टि से मैं कहूँगी कि एक तरफ भाप ज्यादा से ज्यादा महिलाओं को सामाजिक प्रक्रिया में जोड़ने का काम करेंगे और दूसरी तरफ जो उनकी समस्याएँ हैं उनको ध्यान में रखकर जिस प्रकार से पार्टटाइम एम्प्लॉयमेंट देने की बात है उसकी योजनाएँ बनायेंगे। यह काम बहुत ही आवश्यक है। इस सम्बन्ध में मैं मानती हूँ कि अगर सरकार को यह काम करना है तो उसे इस बात को ध्यान में रखना चाहिये कि जबतक हम इस देश की महिलाओं का स्थान ध्यान नहीं बढ़ाएँ, सामाजिक और राजकीय स्तर पर, जबतक इस देश की प्रगति नहीं हो पावेगी। गये ग्यारह सालों में इस देश में एक महिला प्रधान मंत्री रहीं लेकिन सामान्य महिला का स्थान ध्यान बढ़ाने और सामाजिक प्रक्रिया में उनको शामिल करने के सम्बन्ध में इस देश में कुछ काम नहीं हुआ ऐसा मैं मानती हूँ। एक बहुत ही शर्मनाक स्थिति का इस देश में निर्माण किया गया जिससे सारी दुनिया में हमारा देश कलंकित हो गया। इस प्रकार के कार्य पिछले 19-20 महीने में इस देश में किये गये। अब मैं कहूँगी कि इस देश में महिलाओं की प्रतिष्ठा को बढ़ाना बहुत ही जरूरी है और इस काम को हमें

[धमनो मृग न मोरे]

हम सब जा बोच का मिडिल में रीमने बढ़ाने का काम करता है उसका लिय भी नहीं सरकार को कुछ न कुछ करना चाहिये।

MR. DEPUTY SPEAKER Would you like to continue after Lunch?

SHRIMATI MRINAL GORE Yes.

MR. DEPUTY SPEAKER The House stands adjourned till 2 p.m.

1304 hrs.

The Lok Sabha adjourned for Lunch till Fourteen of the Clock.

The Lok Sabha re-assembled after Lunch at Fifteen Minutes past Fourteen of the Clock.

[MR. DEPUTY SPEAKER : 13:13 hrs.]

STATEMENT RE FIXATION OF INTERIM RATES OF WAGES FOR WORKING JOURNALISTS AND NON JOURNALIST NEWSPAPER EMPLOYEES

MR. DEPUTY SPEAKER Shri Ravindra Varma to make a statement.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA) Sir a statutory Wage Board for non-journalist newspaper employees was constituted by the Central Government on the 11th June, 1973 under section 13C of the Working Journalists and Other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955.

A similar Wage Board for working journalists was also constituted under section 9 of the Act, on the 6th February 1976. The Central Government, being of the opinion that it was necessary to fix interim rates of wages both in respect of non-journalist employees and working journalists sought

the advice of the two wage boards in the matter. The advice of the Wage Board for non-journalists as well as that of the Wage Board for Working Journalists was made available to the Government in June and October 1976 respectively. Both the Wage Boards were of the view that non-journalists and working journalists should be given relief from the 1st June 1975. The Wage Boards also proposed further enhancement in the quantum of relief from 1st January, 1976. An immediate decision should have been taken in view of the urgency of providing relief to the employees. Unfortunately the then Government took no decision in the matter and kept the question pending.

Government have now taken a decision to fix immediately the interim rates of wages under sections 13A and 13D of the Act on the basis of the advice tendered by the Wage Board for the non-journalists and the Wage Board for Working Journalists. Government have also considered carefully and sympathetically the question of grant of relief from the 1st of June 1975, as proposed by the two Wage Boards. While the Government can well understand the case for retrospective fixation of interim wage rates, they have to consider the matter within the framework of the law. Whereas sub-section (3) of section 12 of the Act enables final recommendations of Wage Board being brought into operation retrospectively there is no such provision in the existing Section 13A relating to the fixation of interim wage rates. The law as it stands therefore does not clearly empower the Government to fix interim wage rates retrospectively. Government, therefore propose to take early action to examine in detail whether Section 13A of the Act needs to be changed to give clear power to Government to fix interim rates of wages with retrospective effect.

I am glad to announce that without delaying the matter further Government have decided to take action to

fix the interim wage rates according to the recommendations of the two Wage Boards, to come into immediate effect from the date of notification.

I am also glad to inform the House that as a result of the fixation of the interim wage rates there will be an increase in the existing emoluments of non-journalist employees ranging from Rs 23 to Rs 85 p.m. depending upon the class of newspapers, weeklies, periodicals etc to which they belong. In the case of working journalists the increase will similarly range from Rs 85 p.m. to Rs 131 p.m. Relief is also being given to part-time correspondents.

14.04 hrs.

MOTION OF THANKS ON THE ADDRESS BY THE VICE PRESIDENT ACTING AS PRESIDENT—
contd

MR. DEPUTY SPEAKER Shri-mati Mrinal Gore to continue her speech

श्रीमती मृणाल गेरे (उत्तर बम्बई) : अध्यक्ष महोदय, मैं इस सदन के सामने यही बात रख रही थी कि माधिर इस देश की जनता के बीचों-बीच चुनाव के सिलसिले में जिस की ध्यान में रख कर नई सरकार को अपना स्थान प्राप्त करना है। मैं यह समझती हूँ कि एक बहुत बड़े सवाल के ऊपर इस देश की और इस सरकार की सोचना है कि पिछले तीस सालों में जिस प्रकार का कारोबार इस देश में चला उस के कारण जनता में एक प्रकार की मायूसी फैल रही थी कि जो हो रहा है हम में यह कुछ नहीं कर सकते हैं, इस को हम बदल नहीं सकते हैं और जिस प्रकार में परिस्थिति के शिकार हम बनते रहे हैं उस का कोई इलाज नहीं है, इस प्रकार की एक भावना हम में पैदा हो गई थी। यह सब से बड़ी बनी पैदा हो रही थी और मैं यह समझती हूँ कि आज इस चुनाव के देश की

पूरी जनता में एक प्रकार का आत्म विश्वास जगा दिया कि हम जो चाहते हैं, जो तय करते हैं वह कर पाएंगे। यह आत्म विश्वास उस ने पैदा कर दिया और इसी को ले कर मैं यह कहना चाहती हूँ कि इस देश की जो बहुत बड़ी जनता है, दलित समाज है उस में भी हम ने यह आत्म विश्वास उस समय दखा। साथ-साथ महिलाओं में भी इन इस चुनाव के सिलसिले में यह दखा कि एक प्रकार की नई जागृती हो गई है कि देश की जो इस समय स्थिति है उस को समझ कर हम भी उस में कुछ अपना योगदान देंगे।

मेरे ख्याल से हमारी भावना की जो भाषा हिन्दी है वह हमारी बहन और महिलाएँ हैं। देश की प्रगति के लिए उनका एक्टिव पार्टिसिपेशन सेना बहुत ही आवश्यक है। इस दृष्टि से मैं कहूँगी कि एक तरफ भाषा ज्यादा से ज्यादा महिलाओं को सामाजिक प्रक्रिया में जोड़ने का काम करेंगे और दूसरी तरफ जो उनकी समस्याएँ हैं उनका ध्यान में रखकर जिन प्रकार से पाठदायक एम्प्लाय-मन्ट देनी की बात है उसकी योजनाएँ बनायेंगे। यह काम बहुत ही आवश्यक है। इस सम्बन्ध में मैं मानती हूँ कि अगर सरकार को यह काम करना है तो उसे हमें इस बात में ध्यान में रखना चाहिये कि जबतक हम इस देश की महिलाओं का स्थान भागे नहीं बढ़ाएंगे, सामाजिक और राजकीय स्तर पर, तबतक इस देश की प्रगति नहीं हो पायेगी। गये ग्यारह सालों में इस देश में एक महिला प्रधान मंत्री रही लेकिन सामान्य महिला का स्थान भागे बढ़ाने और सामाजिक प्रक्रिया में उनको शामिल करने के सम्बन्ध में इस देश में कुछ काम नहीं हुआ ऐसा मैं मानती हूँ। एक बहुत ही शमनायक स्थिति का इस देश में निर्माण किया गया जिससे सारी दुनिया में हमारा देश कलनित हो गया। इस प्रकार के कार्य पिछले 19-20 महीने में इस देश में किये गये। जब मैं बहुतों की इस देश में महिलाओं की प्रतिष्ठा को बढ़ाना बहुत ही जरूरी है और इस काम को हम

[श्रीमती सुनल भारे]

करना है। जब तक इस देश की महिलायें पूरी तौर से देश की प्रगति में अपना सहयोग नहीं देंगी तब तक हम आगे नहीं बढ़ पायेंगे। इस दृष्टि में यह काम बहुत जरूरी है। इस चुनाव में महिलाओं ने अपना यह इच्छा भी व्यक्त की है कि इस देश में काम। जो समस्याएँ हैं उनको वे समझ लेना चाहती हैं और उनको दूर करने में सक्रिय भाग लेकर अपना पूरा सहयोग देना चाहती हैं। हम। महिलाओं की यह इच्छा इस चुनाव में दर्जी है। हम चाहेंगी कि सरकार इस काम का करे। सरकार को चाहिए कि इस काम में महिलाओं को भी शामिल करे। मैं समझती हूँ इस सदन में महिलाओं का प्रतिनिधित्व घट गया है जिस लिये मेरे मन में बड़ा असंतोष है। इस कमी को भरकर पूरा करना है तो यह आवश्यक होगा कि हर पार्टी की ओर से महिलाओं को ज्यादा जाई दी जाये। इस देश की महिलायें सामाजिक, आर्थिक और राजस्तर पर ज्यादा भाग ले सकें। इसको देखना हमारी जिम्मेदारी है।

SHRI K GOPAL (Karur) According to the Prime Minister, they are good for nothing that is what the Prime Minister says.

श्रीमती मृणाल मोरे मैं यह कह रही हूँ कि महिलाओं का खास हिस्सा है, इस बात को जनता पार्टी जबरन देखेगी। महिलाओं का पूरा सहयोग लेने के लिये सरकार का काम करना चाहिये—यह मैं चाहती हूँ।

जहाँ तक कुटुम्ब नियोजन का सम्बन्ध है, वह कार्यक्रम बहुत बदनाम हुआ है। एक गैर सांख्यिक शक्ति का निर्माण करने के लिये किसी एक नाम से इस कार्यक्रम को आगे बढ़ाने की कोशिश की गई और उसको लेकर जिस तरह की ज्यादाती और भ्रष्टाचार जनता पर किये गये वह सभी को मालूम है।

फैमिली प्लानिंग का जो कार्य है वह बहुत महत्वपूर्ण और जरूरी है। महिलाओं के विकास के लिए और उनका आग बढ़ाने के लिये इसका बहुत महत्व है लेकिन इस कार्यक्रम को लेकर जिस प्रकार की ज्यादाती और भ्रष्टाचार किये गए चन्द महोना में किये गये उमा आगे कई सालों के लिए इस काम में देश का पीछे इधर दिया है जिसका हम बहुत अफसोस है।

मैं ऐसा समझती हूँ कि पहले या सरकार थी, उस सरकार ने इस में इतना बड़ी गल्ती की है, सोचा पर इनका भ्रष्टाचार किये हैं, जिस को लेकर पूरे देश में फैमिली प्लानिंग का काम पीछे इधर दिया गया इस के लिये वह सरकार पूरी तरह से जिम्मेदार है। जिस सरकार को प्राइम मिनिस्टर महिला हो, उस के कार्य-काल में सामाजिक और राजकीय क्षेत्र में महिलाओं के विशेष में हवा देने यह बड़े दुष्ट की बात है। हमारी नई सरकार को इस ओर देखना चाहिये और स स्तरों पर, नीचे से लेकर ऊपर तक, महिलाओं का एक्टिव पार्टिसिपेशन होना चाहिये इस के लिये सरकार को आवश्यक कदम उठाना चाहिये। (व्यवधान) . . .

मुझे मालूम है आप लोग क्या कहना चाहते हैं हमारे प्रधान मंत्री ने कुछ ऐसे उद्गार निकाले हैं, जिन के बारे में भ्रष्टाचार में चर्चा है। जो भ्रष्टाचार, मैं मानता हूँ, उन्होंने ऐसा कहा होगा ऐसा मैं नहीं मानती हूँ। मैं तो मानती हूँ कि श्रीमती इन्दिरा गांधी ने जिस प्रकार की कार्यवाही इस देश में की है पिछले 19 महोनों में जो कुछ हुआ है, उस से देश अपमानित हुआ है लेकिन एक महिला के काम को लेकर पूरे महिला समाज की बदनाम करना ठीक नहीं है, एक व्यक्ति ने जो कुछ किया है, उस के लिये बचन उस व्यक्ति को जिम्मेदार मानना चाहिये, पूरे महिला समाज को उस के लिए जिम्मेदार नहीं मानना चाहिये। यह बहुत ही महत्व-

पूर्ण बात है—इस देश में आज तक महिलाओं को यही रूप में देश के कार्य में नहीं जोड़ा गया, न सामान्य स्तर पर और न दलित समाज में इस प्रकार का आत्म विश्वास पैदा हुआ कि हम भी इस देश के लिये कुछ कर सकते हैं। हम तरह का आत्म विश्वास जगाने का काम आज तक नहीं हुआ। हरिजनों पर भी अत्याचार बढ़ते गये। इस में सन्देह नहीं कि पिछले सालों में हमने कुछ कानून प्रवर्धित किये, लेकिन फिर भी अत्याचार कम नहीं हो सके। मैं ऐसा समझती हूँ कि इस के लिये देश में एक प्रकार की भावना पैदा होनी चाहिये कि हमको भी इस देश में कुछ स्थान मिलेगा, इस देश की सामाजिक प्रक्रिया में हम भी कुछ कर सकते हैं। इस प्रकार की भावना जगाना बहुत जरूरी है। पिछली सरकार की 30 सालों की प्यामिया का यह नतीजा है कि ऐसी भावना फैली है—प्रबल भावना को दूर करना बहुत जरूरी है।

जहाँ तक अत्याचार का सम्बन्ध है—एक ऐसी भावना देश के अन्दर फैली हुई है कि जो अल्प हैं वे ही भागे उड़ सकते हैं। जो अत्याचारी लोग थे, उन को ही समाज में प्रतिष्ठा प्राप्त हुई इस चीज को सामने रख कर मैं ऐसा सुझाव देना चाहती हूँ इस के ऊपर अलग अलग जगहों पर जाच कमेटी बंटा कर जो अत्याचारी है, उन की पूरी जाच और प्रतिष्ठा समाज में होनी चाहिये। इस प्रकार का काम नई सरकार को करना चाहिये, तभी यह अत्याचार समाज से खत्म हो सकेगा। आज देश की जानता ने जनता-पार्टी में अपना पूरा विश्वास दिखलाया है, इसलिये हमारा यह कर्तव्य हो जाता है कि हम इस जाच के काम को तेजी के साथ भागे बढ़ाएँ ताकि देश से अत्याचार समाप्त हो सके।

हमारे विरोधी दल की बैचा पर बैठे हुए सम्माननीय सदस्यों से, विशेषकर विरोधी दल के नेता श्री यशवन्तराव चव्हाण जी से मैं इतना ही कहूँगी कि आप बारबार कह रहे हैं कि जो कुछ हो गया उस की भूल आदये।

उस को भूल जाये—आप का ऐसा कहना तो ठीक है, लेकिन जिन्होंने गड़बड़ किया है, वे कैसे भूल सकते हैं। हमारे एक कामरेड—स्नेहना रेड्डी—जो एक बहुत अच्छी बलाकार थी उन की मृत्यु हो गई, उन के साथ सरकार ने जिस प्रकार का व्यवहार किया उस को न हम कभी भूलने के लिये तैयार हूँ और न इस देश की जनता कभी भूलेगी। मैं कांग्रेस पार्टी के सदस्यों से कहना चाहती हूँ आप भी ठूपा कर ऐसी गलतफहमी में न रहें, कि थोड़े दिन बाद जनता उस को भूल जायेगी और आप फिर वापस आ कर वहाँ बैठें इस प्रकार की गलतफहमी में मत रहिये। इन बातों की जब आप ने किया था, सी लोगों का मुँह बन्द था और वे बोल नहीं पाए थे। अब मुँह खुल गया है और लोगों का बोलना भी शुरू हो गया है। 19 महीने में और पिछले 30 साल में जो कुछ हुआ है, उस के बारे में लोगों का बोलना शुरू हुआ है। आप इस गलतफहमी में न रहिये। जो कुछ हुआ है हम लोग भूलने वाले नहीं हैं और उस की याद हमेशा ताजा रहेगी। मैं तो यह कहूँगी कि भागे पाने वाली जो भी सरकार राज्य चलाने वाली है, उस को हमेशा यह याद रखना चाहिये कि इस प्रकार की बातों को जनता ज्यादा देर बर्दाश्त नहीं कर सकती। इसलिये जो कुछ आप ने किया है, उस को हम याद रखना चाहते हैं।

मैं यह भी कह देना चाहती हूँ कि एक व्यापक दृष्टि से और एक नई रूपरेखा को ले कर समाज में एक नया परिवर्तन लाने के लिये, जब प्रकाश नारायण जी की कल्पना के अनुसार जो एक सामाजिक परिवर्तन लाने के लिए काम चल रहा है, उस में रुकावट डालने की कोशिश न करिये। आप पहले बार बार विरोधी दल के लिये वास्तुद्विद्व प्रपोजीशन की बात करते हैं और अब हम आशा करते हैं कि आप यहाँ पर वास्तुद्विद्व प्रपोजीशन का रोल भटा करेगे और जनता पार्टी सरकार की नीतियों का विरोध केवल विरोध के लिए ही नहीं करेगे।

इतना कह कर मैं समाप्त करती हूँ।

स्वास्थ्य और परिवार नियोजन मंत्री (श्री राज नारायण) श्रीमान मंत्री अपसोस है कि श्री यशवन्तराव चव्हाण नेता विरोधी दल इस समय यहाँ पर नहीं है।

श्री वसन्त साठ (अकोला) उह मालय नहीं था कि आप बोले जा रहे है।

श्री राज नारायण उह बुद्धा त्रिजिप। मैं जतने धीरे धीरे बोलूँगा। मैं चाहता हूँ कि व यहाँ रूँ क्योंकि उन क भाषण का मैं न अच्छी तरह से अध्ययन किया है। श्री यशवन्तराव चव्हाण जी न जो कुछ भी भाषण किया है मैं समझता हूँ कि वह एक वाजालू भाषण था वह लोक सभा में लोक सभा के महत्व को देखत हुए उपयुक्त भाषण नहीं था। उन्होंने इमर्जेंसी लगाई और इमर्जेंसी भाग भी रह सकती थी यदि उन को सरकार पड़ती। अपने भाषण में उन्होंने उस को सही मिद करने की कोशिश की है। मेरी भावना है कि इमरजन्सा का लागू करना एक राष्ट्रीय कलक का काम है। इस से बड़ कर राष्ट्रीय गौरव राष्ट्रीय सम्मान राष्ट्रीय गरिमा राष्ट्रीय महिमा को बिराने का काम दूसरा नहीं हो सकता। इस आन्तरिक सुरक्षा के नाम पर भारत की अपमानित करने का काम जो हुआ था उस से बड़ कर अपमानित काम और कोई दूसरा नहीं हो सकता। मुझे कोई कारण नहीं मालूम होता कि सरकार इमर्जेंसी आन्तरिक सुरक्षा का नाम पर लागू करे। इमर्जेंसी लागू करने का नेबन यही एक कारण था।

श्री देवकान्त बरूआ के लिए मझ अपसोस है कि उन्होंने भी एसी बात कही। वे वाणी विश्वविद्यालय की प्रोफेसर हैं, जिस के संस्था पत्र महामना मानवीय जी था। व उमी विश्वविद्यालय का है जहाँ का हम सब लोग हैं। वहाँ से उत्पन्न हान काँस श्री देवकान्त बरूआ मह वहाँ कि

India is Indira and Indira is India

इन्दिरा भारत है और भारत इन्दिरा है इस स बड़ कर अधिनायकवाद बसा होगा।

SHRI VASANT SATHE Janata Party is JP and JP is Janata Party

श्री राज नारायण जे० पी० जनता पार्टी के नेता हैं। मैंने अपने मुखारबिन्द से ऐसे शब्द कभी नहीं निकाले। ऐसे शब्द निकल सकते हैं तो काग्रस पार्टी के मुख से ही निकल सकते हैं। जनता पार्टी जानती है कि जनतल क्या है। जनता पार्टी जानती है कि अधिनायकवादी क्या है। यह तो परस्पर विरोधी विचारधाराओं का टकराव है। (व्यवधान) इस दंग से बीच में खड़े होकर बोलना अनावश्यक है अमतलब है और इस तरह से बोलने से काग्रस की बदनामी होगी। मर्क कुड के गदे कोड ने काग्रस पार्टी के दिमाग को चाट कर चटनी तो पहने ही कर दिया है इसलिए इस तरह के शब्दों को वह जनता पार्टी के लिए लागू कर रही है।

जे० पी० का नाम लिया गया। हम जे० पी० और श्रीमती इन्दिरा गांधी की तुलना हो सकती हैं जे० पी० और इन्दिरा गांधी की कोई तुलना नहीं हो सकती। कहा जे० पी० कहा इन्दिरा गांधी। जे० पी० वह इंसान है जिसके अन्दर वृकान और भाधी है। जिसने इन चीजों को देश के अन्दर पदा करके इन्दिरा सरकार को उन्ट पुलट क दिया। इतना करने पर भी आपको शरम नहीं आती कि जनता पार्टी और जे० पी० की बात करें। फिर भी मैं आपसे कहना चाहता हूँ (व्यवधान)

श्री वसन्त साठ आप यह मत समझ लीजिए (व्यवधान) अध्यक्ष महोदय हम राज नारायण जी की इज्जत करते हैं सभी लोग इज्जत करते हैं। कृपया आप अपने मुखारबिन्द से गलत लफ्ज मत निकालिए। (व्यवधान) धन्य है प्रभु, हम ऐसे लोग आपके साथ आए हैं। अध्यक्ष

महोदय, राजनारायण जी का आपको स्वयं राज्य सभा का धनुर्भव है। उनके बारे में मुझे कोई नई बात बताने की जरूरत नहीं है। अब वह मरी हैं। अभी आपने अपने मुखार-बिन्द से जो शब्द निकाले हैं, मेहरबानी करके ऐसे शब्द न निवाले। आपके लिए हमने कोई शब्द सज नहीं निकाले हैं, न निकालेंगे। आप हमें गाली दे दें और हम चुपचाप बैठें रहें। मेहरबानी करके ऐसा मत करिये।

श्री राज नारायण : मैं यह निवेदन कर रहा हूँ कि यह हमारा आदर्श है कि माननीय सदस्य खड़े हुए और बैठें गये। हमने आपको बोलने का पूरा मौका दिया। अगर मैं ऐसा नहीं करता तो आप नहीं बोल सकते थे। चेयरमैन साहब भी आपको नियम के मुताबिक बोलने नहीं देंगे। यह भारी जन-तन्त्रीय परम्परा है। अगर मुझे इस बात का शकसोस है कि मेरे साफ शब्दों की कोई गाली समझ ले जबकि मैंने कोई ऐसी बात नहीं कही है। अगर आप ऐसा समझेंगे तो इसका भी हमें इलाज करना पड़ेगा। जब मैं यह कहता हूँ कि "यह शर्म की बात है" तो यह गाली नहीं है। मेरी भी कोई ऐसी बात हो सकती है जो शर्म की हो सकती है। यह गाली नहीं है।

श्री वसन्त साठे : आपने कहा कि आपको शर्म नहीं आती है।

श्री राज नारायण : अगर मैं यह भी कहूँ कि शर्म आनी चाहिए, या शर्म नहीं आती है तो यह भी गाली नहीं है।

अब मैं चाहता हूँ कि माननीय सदस्य जरा शान्त चित्त से मेरी बात को सुनें। मैं समझता हूँ कि एमरजेंसी को लागू करके इस देश को अपमानित किया गया है, पद-दलित किया गया है, हमारे गौरव, गरिमा, महिमा, सस्मृति को गिराया गया है और दुनिया में जो भारत को एक शान और मर्यादा

की दिशा में रन गरीब है। चाहे भारत में लोग घघपेट खाते हैं, एक जून भोजन करते हैं लेकिन भारत में जनता है, बोलने की आजादी है, अखबारों की स्वतन्त्रता है, न्याय विभाग की स्वतन्त्रता है, इस सब को कल किया गया और कांग्रेस सरकार ने दुनिया में हमको बदनाम किया। हमारे पास धनेको पक्ष विदेशों में जो विद्यार्थी पढ़ते हैं उनके आएं हैं। इन में उन्होंने कहा कि हम लोगों की जो एक शान थी, हम लोग जो सीता तान कर चलते थे कि हम गरीब हैं, लेकिन हम कहते थे कि हमें बोलने की आजादी है, विचार अभिव्यक्त करने की आजादी है, चलने फिरने की आजादी है, सगठन बनाने की आजादी है, अहितक वगैरे हमें ज कुछ चाहे कर सकते हैं, इसकी आजादी है इन तमाम हमारी आजादियों को भूतपूर्व सरकार इंग्लैंड में एमरजेंसी को लागू करके समाप्त किया, स्थगित कर दिया, नागरिक स्वतन्त्रताओं को खत्म कर दिया, मौलिक अधिकारों का अपहरण कर लिया। अब इसको क्या कहा जाए? क्या इसकी तारीफ की जाए?

अगर वह महीने तक एक ही नेता, एक ही पार्टी रही। तमाम रेडियो, टेलीविजन आदि पर एक यही बात सुनने को मिलती थी। कभी कभी तो मन में आता था कि रेडियो को पटक कर फेंक दें। सुनते सुनते वान पक गए थे, इंदिरा जी का बयान, बकशा जी का बयान.....

एक माननीय सदस्य : सजय थी।

श्री राज नारायण : वह तो आपात्-कालीन स्थिति की उपलब्धि है।

इंदिरा जी को मैंने चिट्ठी लिखी। मैं चाहता हूँ कि उसको पढ़ा दिया जाए। मैंने लिखा था कि इंदिरा जो अन्तर्मुखी बनें आजकल वह बहिर्मुखी बन रही हैं। एक बात की हमें जरूर प्रसन्नता है। इंदिरा जी ने

[श्री राज नरायण]

भारतीय संस्कृति का भी नाम लेना शुरू कर दिया था। गांधी जी का नाम जो लेना शुरू कर दिया था, कहना शुरू कर दिया था कि मैं परिचयी जनतंत्र की पद्धति को विलकुल फालो नहीं करूँगी, हमारी जनतंत्रीय पद्धति अपनी है, हम भारतीय संस्कृति के अनुसार जनतंत्रीय पद्धति को चला रहे हैं। इस पर मुझे विचार आया कि मुझे भारतीय संस्कृति को फिर से पढ़ना चाहिए। उन्होंने हमको बाध्य कर दिया कि मैं फिर एक भर्तृव वेद, उपनिषद्, पुराण शास्त्र, महाभारत रामायण आदि पढ़ डालूँ। पढ़ कर मैंने उनको पूरा पूरा लिख दिया कि मुझे अभिमान है कि मैं भारत में पैदा हुआ और आप भी मानती हैं कि भारत एक ऐसा राष्ट्र है जिसने दुनिया को जनतंत्र दिया है, यह भारत की ही दुनिया को समानता और और स्वतंत्रता की देन है। मैं उदाहरण देता हूँ। महाभारत की लड़ाई समाप्त हो गई। मैं जल्दी जल्दी चल रहा हूँ। पादव गए और पूछ कि दुर्योधन मरा या नहीं। भीम ने कहा कि हमने 99 भाइयों को मार दिया है लेकिन यह नहीं देखा कि दुर्योधन मरा है या नहीं। कुन्ती ने कहा कि पता लगानो सहदेव पंडित कि मरा है या नहीं। सहदेव ने कहा कि नहीं मरा है। फिर पाचों भाई कृष्ण के साथ खोजने चले गए। एक बहनिष ने कहा कि एक आदमी जा रहा था कोई बहुत बड़ा मुकुट धारी और इन लोगों ने समझा वही होना। वे गए और जाकर देखते हैं कि मुझा सागर में पानी के नीचे मुकुट चमक रहा है। भीम सलवारता है, काहे नपुनक हिनचे तुम तमाम भाइया को कत्त कर करके यहां लक्ष्मी के पास था कर के मुझा सागर में छिप गए हो। वह बहादुर था लेकिन पाजी था। निकल पड़ा। लक्ष्मी ने पाव पकड़ लिया। फिर भीम ने सलवारता। वह फिर निष्कत। फिर लक्ष्मी ने पाव पकड़ा। फिर उस समय रुक गया। बाद में भीम ने सलवारता

और वह निकल पड़ा। धर्मराज युधिष्ठिर क्या कहते हैं, मैं चाहता हूँ कि भारत की राजनीति में, भारत की धर्म नीति में, भारत के समाज शास्त्र में हूँ भारतीय नागरिक को फिर चाहे वह हिन्दू, मुसलमान, सिख, ईसाई, चमार, ब्राह्मण, बनिया कोई भी, हो इस तथ्य की अपने हृदय में रख लेना चाहिये।

धर्मराज युधिष्ठिर ने कहा दुर्योधन तुम मरके हो और हम पाव है इसलिये यह लड़ाई बेजोड़ है। तुम हमारे पाव सदस्यों में से किसी दो को चुन लो। तीन तीन की बराबर की लड़ाई हो। लड़ाई बराबर की होनी चाहिये धर्मराज युधिष्ठिर क भुव्यारविन्द से निकले हुए यह साधु शब्द है। इस से समानता की बात समझ लीजिये। म. दुर्योधन को देखिये, क्यों कि उस की बड़ि कुटिल थी, वह कहता है कि महाराज अगर मैं भर्जुन और भीम इन दो की चुनूँ तब आप क्या कहेंगे। उस ने कहा चुन लो। तुम ने तो भर्जुन और भीम को और तेरी और से वह खूबजम कर लड़ाई लें, और वह सँभे। तुम क्या समझते हो कि तुम्हारी जीत होगी भर्जुन और भीम की ताकत और बल पर। मैं सत्य पर हूँ, हक पर हूँ, इन्साफ पर हूँ, न्याय पर हूँ, इसलिये हमारी जीत होगी। हमारी जीत केवल भर्जुन और भीम के बल पर नहीं होगी। इसलिये मैं कहता हूँ कि जनता पार्टी सत्य पर है, हक पर है, इन्साफ और न्याय पर है। इस की जीत हुई और होगी, इस का कोई बाल बाका नहीं कर सकता।

मेरा विरोधी इत कहने है कि लोहिना जो के विचार कैसे जनसभ से मिलेंगे? लोहिना जो के जो चले रहे हैं, समर्थक रहे हैं उनका कैसे जनसभ से मेल होगा। भाई आप क्यों दुबने हा रहे हो, मैं आप को बता दूँ कि हमारी तरफ बढ़ावत है भोजपुरी में कि प्रयोजन गरी छलकत जाय। जो गरी माघी भनी होगी है वह बहुत छलकती है।

Little knowledge is a dangerous thing.

तो डा० लोहिया को पढ़ो, उन को जरा समझने की क्षमता पैदा करो। 1962 में चीन के हमले के बाद से डा० लोहिया ने घनेवरत प्रयत्न किया है कि सभी विरोधी दल एक हो जायें। डा० लोहिया ने यह भी कहा है कि जनसभ है, सोशलिस्ट पार्टी है, स्वतन्त्र पार्टी है और जितनी पार्टियाँ हैं, सभी पार्टियाँ एक हो जायें और एक महाराक्षस जो कांग्रेस पार्टी है उस को सत्ता से हटाने के लिये यह पार्टी एक हो जायें। यह बात उन्होंने एक बार नहीं अनेक बार कही है। 1967 में जो डा० लोहिया ने लख लिखा उस को पढ़ो। डा० लोहिया एक दूरदेशी थे, एक कुशल योग्य, कमेंट नेता थे। और नेता मैं केवल तीन को ही मानता हूँ—एक सुभाष, एक गांधी और एक डा० लोहिया।

एक माननीय सदस्य जयप्रकाश जी नहीं।

श्री राज नारायण : अभी वह जीवित हैं। डा० लोहिया की किताब को पढ़ेंगे तो उन्होंने लिख दिया है कि पांच वर्ष के बाद कांग्रेस टूटगी। कांग्रेस के टूटने के बाद घोड़ा समय कुछ घपले का चलेगा। उस के बाद फिर सभतल घरातल धायेंगा और फिर जनता का राज्य कामम होगा। डा० लोहिया की भविष्यवाणी सौतह माने सही हो गई।

और एक बात मैं कहना चाहता हूँ, श्री चन्हाण साहब या उन के भाई जो यह पर हो वह इस बात को समझ लें कि कृष्ण का जन्म हुआ जेल में। यह भी हमने लिख दिया है सरकार को। कस को पता नहीं चला कि हमारी हड्डि के पेट से पैदा होने वाला कृष्ण हमारा नाश करेगा। जनता पार्टी या जन्म जेल में हो गया। इन्दिरा जी को पता नहीं चल पाया कि जनता पार्टी उनका नाश कर देगी।

कांग्रेस राज्य में यह हमारा 56वीं बार जेल जाना था। 30 साल की आजादी में

करीब 14, 15 जेल गये और अंग्रेजी राज्य में 4 बार 4 जेल गये। अब यह न समझिये कि यह केवल एकाएक हो गया—हमने सात खाई, ढंडे खाये, जूते खाये, हमें मारा गया, पीटा गया, घसीटा गया और जुरमाना किया गया। जितने मित्र यहाँ बैठे हैं, सब जानते हैं। यह तमाम फासिस्टों जो कांग्रेस में बस गई, उन शक्तियों का कुक्कर्म हम लोग भोग चुके हैं। इसलिये इन तमाम बातों में जाकर के हम नहीं पडना चाहते।

श्री बसंत साठे मैं जानना चाहता हूँ कि अभी आपने क्या कहा? क्या यह कहा कि ये तमाम लोग खस्ती किये गये?

श्री राज नारायण : हमने कहा कि घसीटे गये, मारे गये, पीटे गये। इनको किसी ने बता दिया है कि बीच बीच में टोकिये जरूर।

फिर हमने इन्दिरा जी को लिखा कि इन्दिरा जी, धाय रामायण की भी पढ़िये भारतीय संस्कृति देखिये। भारतीय संस्कृति में श्री राम चन्द्र जी एक दिन रात को घोड़े पर जाते हैं, 4, 6 भादमी एक जगह बैठे हैं और यह कह रहे हैं कि हमारा राजा कितना अच्छा है—

देहिक देविक भौतिक तापा,
राम राज्य काहूँ नहीं व्यापा।

राम के राज्य में कोई किसी से बैर करता ही नहीं, क्योंकि वहाँ विषमता थी ही नहीं, मगर इतने पर भी एक ने कहा कि—सात भर तक सीता लका में थी, राम ने उनको घपने पास रखकर अच्छा काम नहीं किया। यह राम ने घपनेकान से सुना। तुलसी की रामायण में नहीं मिलेगा, लेकिन 10, 5 और में जरूर यह मिल जायेगा।

[श्री राज नारायण]

इसके लिये राम रात भर जागते रहे और सोचते रहे। मैं उनका तर्क आपकी बताता हूँ। उन्होंने यह तर्क किया कि मैं राजा हूँ, राजा का कर्तव्य होता है कि प्रजा का रक्षण करना। जिस राजा के कर्म से प्रजा का रक्षण न हो, वह राजा नहीं है। फिर उन्होंने यह कहा कि मैं जानता हूँ कि सीता निर्दोष है, प्राणायारी है, फिर भी अगर प्रजा के मन में हमारे प्रति शक है तो मैं सीता को त्याग कर दूँगा, अगर प्रजा का साथ दूँगा और प्रजा के मन में अपने प्रति शक भी शक नहीं रहने दूँगा।

मैं पूछता चाहता हूँ आज उस दल से जिसका नाम है, कावेस और जो हम से पहले सत्ताधारी दल था कि एक तरफ हाई कोर्ट कहता है कि श्रीमती इन्दिरा नेहरू गांधी ने मनना जो बयान दिया है वह झूठ है, यथार्थ है, इन्दिरा नेहरू गांधी जो बोलती हैं, वह झूठ है।

SHRI B. P. KADAM (Canara) Sir, may I rise on a point of order?

MR. DEPUTY-SPEAKER - What is your point of order?

SHRI B. P. KADAM Under the Rules of Procedure, the hon. Minister's defence should have been for the Government's policy here.

MR. DEPUTY-SPEAKER What is your point of order?

SHRI B. P. KADAM - My point of order is that the hon. Minister is here defending something else.

MR. DEPUTY-SPEAKER - There is no point of order. Let the hon. Minister continue.

श्री राज नारायण - एक हाई कोर्ट भूतपूर्व प्रधान मंत्री के बारे में लिखता है कि उन्होंने अपने चुनाव में सरकारी सचिवों का इस्तेमाल किया, उन्होंने पुलिस सुपरिटेण्डेंट,

हाइडल इंजीनियरों, सरकारी कर्मचारियों और अपने सचिवालय के यशपाल कपूर से काम लिया, इसलिए उन के चुनाव को रद्द किया जाता है और उनको छ साल के लिए चुनाव लड़ने के अयोग्य घोषित किया जाता है। - या आप समझते हैं कि इतना होने के बाद भी इस मुल्क की साथ करोड़ जनता ऐसे व्यक्ति को वोट दे सकती है, या उस पार्टी को वोट दे सकती है, जिसका प्रधान इलाहाबाद हाई कोर्ट के द्वारा असत्य साबित हो चुका है? इसलिए जनता ने उस पर ठोकर मारी। मारे उत्तर भारत में, सारे हिन्दी-स्पीकिंग एरिया में, उसका सफाया हो गया। इस पर ध्यान होगी।

इसीलिए 25 तारीख को इमर्जेंसी लगी। 23 तारीख को यहाँ मीटिंग थी, लेकिन उस दिन जो जहाज पटना से आ रहा था, उसको पटना से आने नहीं दिया गया। श्री जयप्रकाश नारायण ने टेलीफोन किया कि जहाज न आने की वजह से मैं नहीं पहुँच पाया, क्या 25 तारीख को मीटिंग हो सकती है। हमसे कहा कि घाप घा जाइये, मीटिंग हो जायेगी। घाठ, दस लाख लोगों की मीटिंग हुई। श्री जयप्रकाश नारायण ने प्रस्ताव रख और उस प्रस्ताव को पारित कर के जनता ने सर्वसम्मति से इन्दिराजी से त्यागपत्र मांगा। इस प्रकार इन्दिराजी की गद्दी पर खतरा आ गया। दिल्ली, बनारस, पटना में, जहाँ भी मैं जाता था, पब्लिक इन्दिराजी से इस्तीफा मांगती थी। सारे देश में हवा बह गई कि इन्दिराजी इस्तीफा दें। इस्तीफा न देने का एकमात्र उपाय इन्दिराजी ने यह सोचा कि इमर्जेंसी लगा कर सब नेताओं को जेल में ठूस दो।

मुझे मालूम है कि इन्दिराजी के पास विदेशों के कितने बड़े बड़े नेताओं के पत्र, भाये कि क्या भारत की आजादी का यही गुण और यही स्वभाव है कि श्री जयप्रकाश नारायण जैसे नेता को, जिसने आजादी के लिए अपने

जीवन को खपाया, और उस के साथियों को, जेल से रखा जाए। इसके अतिरिक्त को प्रभी भी श्री चव्हाण सिद्ध करने की कोशिश करते हैं।

श्री जयप्रकाश नारायण के गुर्दे में पहले कोई शिकायत नहीं थी। चंडीगढ़ में उनको जिस तरह से रखा गया था, उसी का यह नतीजा था। तिहाड़ जेल से मैंने चिट्ठी लिखी कि श्री जयप्रकाश नारायण का मुँह और पाव सूज गए हैं, या तो हम लोगो में से किसी को वहाँ भेजा जाए, ताकि पता लगे कि उनकी तबीयत कैसी है, या किसी बड़े डाक्टर का सर्तिफिकेट दिखाया जाए। इस सबब में मैंने बी० डी० टडन का नाम लिया।

इसके दूसरे दिन मेरा ट्रांसफर कर दिया गया। लिख दिया गया कि राज नारायण का तिहाड़ जेल से रहना खतरे से खाली नहीं है, हरियाणा सरकार ने उनको अपने यह रखना कुबूल कर लिया है, इसलिये उनको हिसार जेल में भेज दिया गया है।

राम ने किसी के बहने पर प्रजा का रजन करने के लिए नीता का त्याग किया। लेकिन इलाहाबाद हाई कोर्ट के फैसले के बाद अपनी नही को बचाने के लिए इन्दिरा जी ने हम को जेल में भेज दिया। मगर राम चाहते, तो वह पाच सात घादमियों को कत्ल करवा सकते थे, या उनको जेल से भेज सकते थे। लेकिन राम ने वह रास्ता प्रकट नहीं किया। उन्होंने कहा कि मैं सीता का त्याग करूँगा, लेकिन प्रजा का रजन करूँगा।

कुछ नेता सोचते थे कि मगर मैं गिरफ्तार हो जाऊँगा तो देश में तूफान मच जायगा। हमारे साथी जानते हैं इस बात को। सन् 42 के प्रादोलन में लार्ड एमरी ने 19 प्वाइंट प्रोग्राम निकाला था। उससे लोग ने पूछा कि गांधी को क्यों गिरफ्तार किया तो उसने कहा कि यह पुल तोड़ना चाहता था, जेल का पोटन

तोड़ना चाहता था, रेल की पटरी उखाड़ना चाहता था। हम लोगो ने कहा कि चलो जब गांधी यही करना चाहते थे तो हम लोग कर ही डालेंगे। तो एकदम से तमाम साम्राज्यवाद की सारी टांगो को हमने चूर चूर कर दिया। सन् 42 में रेलें उखाड़ी, जेल के फाटक तोड़े, पटरीया तोड़ी। श्री राधाकृष्णन् जी जो हमारे आदरणीय राष्ट्रपति थे, उस समय हम लोगो के गुरु थे। हमने हाथ जोड़ लिया कि गुरु जी, अब गीता का लेखर मत करिए, कुरुक्षेत्र का मैदान भा गया है। 9 अगस्त, सन् 42, इतवार का दिन था, देख लीजिएगा। तो जो लोग यह सब काम कर चुके हैं उन्ही लोगो के लोग बाहर थे। क्या कहीं एक खम्भा गिरा? कहीं एक बत्त फूटा, कहीं एक पत्थर का टुकड़ा चला? क्यों नहीं चला? क्या इन्दिरा जी का डर था या यशवन्त राव चव्हाण का डर था? नहीं, यह शिक्षा थी जय प्रकाश जी की, यह शिक्षा थी मोरारजी भाई की, यह शिक्षा थी हम लोगो की, यह शिक्षा थी चौधरी चरण सिंह की कि मगर तनिक भी हिंसा की कार्यवाही होगी तो हम सत्याग्रह स्थगित कर देंगे। इसलिए हमने सरकार की सारी ज्यादातिया बर्दाश्त की मगर तनिक भी हमारी ओर से हिंसात्मक कार्यवाही नहीं हुई। सरकार की ओर से उत्तेजना दी गई। मगर हमने हिंसात्मक कार्यवाही नहीं की। फिर भी मगर हमारे लिए चव्हाण साहब ऐसी कुछ बात कहें तो हमको बड़ा दुख होता है। हमारी तरफ भोजपुरी में एक कहावत है कि—घान क जन्मल लडिका पउलो प बहावत बाटी—यानी दूसरे का पैदा किया हुआ लडका पाकर बाप कहते में बड़ा मजा मिल रहा है। यशवन्त राव चव्हाण ने भारत की आजादी प्राप्त करने में जितनी कमाई की, जितनी सदाई की, जितना त्याग किया उससे कम हम ने नहीं किया। किया होगा ज्यादा, लेकिन हम ज्यादा नहीं कहते। हम शिष्ट भाषा में कहते हैं कि उससे कम नहीं किया। फिर भी भाप जय प्रकाश जी और इन्दिरा जी की तुलना करते हैं? कोई जेल या मर्दिफ्रेट

[श्री राज नारायण]

है कि इन्दिरा जी कितने दिन जेल में रही ? हमको जेल का सर्टिफिकेट दिखाया जाय कि इन्दिरा जी सन 42 के प्रादोलन में कितने समय तक जेल में रही ? जब उनको प्रमाण पत्र दिया गया है तो क्या वयान हम जेल में पढ़ने को मिला कि घर-सचिव उत्तर प्रदेश न सेक्रेटरी आफ स्टेट फार इंडिया लाई एमरी को चिट्ठी लिखी कि इन्दिरा जी को 6 महीने का वारंट जारी किया गया है । निखी होगी चिट्ठी तब 6 महीने का वारंट जारी करने का यह मतलब नहीं कि वह 6 महीने जेल में थी । इसका यह मतलब नहीं कि यह गिरफ्तार होकर 6 महीने तक जेल में थी । हम साया से मांगा जाता है सर्टिफिकेट । जो सर्टिफिकेट हम और हमारे भाई को मिला हुआ है उसमें किस तारीख को जेल गए और किस तारीख को छूटे यह सब लिखा हुआ है ।

एक माननीय सदस्य उन्हें भी लिखा है कि वह दादा जी की गोद में गई ।

श्री राज नारायण यही लिखा है कि वह दादा जी की गोद में गई ? पहले यह था कि जो कम से कम 6 महीने जेल काटा हो ।

एक माननीय सदस्य अब भी है ।

श्री राज नारायण अगर अब भी है वही तो देखा जाना चाहिए कि क्या सही में इन्दिरा जी 6 महीने जेल में थीं या नहीं । कुछ नए सदस्य यहां आते हैं मैं उन्हें बताना चाहता हू कि जब इन्दिरा जी ने मतिमदल बहुत से मंत्री और प्रधान मंत्री विदेशों में मौजूद और मस्ती की जिदगी व्यतीत कर रही थीं तब जय प्रकाश जी हजारीबाग जेल की चहारदीवारी का कर बाहर आए थे और त्राति की बुझती हुई चिमारी में अग्नि प्रवर्धित की थी । फिर भी जय प्रकाश जी को इन्दिरा जी की तबनाम म लाते हैं ? एक प्रतीक है योग का एक प्रतीक है भोग का । योग और भोग को एक में मत जोड़ो ।

याद माधी जी को सुनिय । यह उनकी आम बया है । तारीख है 10 फरवरी 1943 । गांधी जी कहते हैं

मरी तो मान्यता है कि गुप्त नीति को जट में ही हिंसा है इसलिए छिपकर बुद्धिमान निकायना भी हिंसा है । मरी मांग है कि कानून में अहिंसात्मक विरोध को स्थान होना चाहिए ।

गांधी जी कहते हैं कि मरी मांग है कि कानून में अहिंसात्मक विरोध को स्थान होना चाहिए । इसलिए क्या इन्दिरा सरकार को व्यवस्थित हिंसा का नाम नहीं लिया जा सकता ? मज में लिया जा सकता है । फिर भी क्या चह्वाण साहब हमको पढ़ायें वृद्ध मुगा राम राम ? क्या मजाक है ?

अब मैं चाहता हू कि हमारे कुछ मित्रों ने जो बयानात हुए हैं उनके बारे में कुछ कहें । कमिली प्लानिंग के बारे में मैं न पहचान ही कह दिया कमिली प्लानिंग बदनाम हो गई है । इस नाम को हटाना चाहिए । इस सम्बन्ध में सरकार विचार भी कर रही है और उसका कोई प्रच्छास नाम दुहा जा रहा है ।

श्री बसंत साठ किन को हटाएंगे कमिली को या प्लानिंग को ?

श्री राज नारायण कमिली का तो हटा दोषी कायम हटान की नीतिश्री भी की तबिन कमिली ने उसको हा हटा दिया ।

मैं सोच सोच बोलूं कि परिवार मुनि याजित हो यह मैं चाहता हू । मैं इसके पक्ष में हू और मरा दल इसके पक्ष में हैं लेकिन परिवार का मुनियोजन और जबदस्ती नसबन्दी इन सार्व को हैवान बनाना—यह दोनों परस्पर विरोधी चीज हैं । दोनों चीजें एक नहीं हैं । इन्दिरा जी की सरकार में कमिली प्लानिंग में परिवार नियोजन में जबदस्ती नसबन्दी की है । इन्दिरा सरकार की ओर से डा० कर्णसिंह जी

तक देते हैं वह असत्य है। हम हिसार जेल में थे हमने देखा एक एक रात में सी सी आदमी घिर-फनार होकर आ। रेलवे स्टेशन पर पुलिस की गाड़ी खड़ी रहती थी जो सवारियां उतरती थीं उनको जबरदस्ती पकड़ कर ले जाते थे और एकदम नसबन्दी करके फेंक देते थे। यह हालत थी। बादी हुई नहीं लेकिन उसकी नसबन्दी हो गई। बच्चा एक नहीं लेकिन उसकी नसबन्दी हो गई। 80-90 वर्ष के बूढ़ों की नसबन्दी हो गई। इसीलिए हम फैमिली प्लानिंग की बात को हटाना चाहते हैं।

आप जनतन्त्र की बात कहते हैं। यह फेडरल स्टेट है और राज्य सरकारों के भी कुछ अधिकार और शक्तें हैं। अर्थात् कालीन स्थिति की उपलब्धि सजय गांधी है। सजय गांधी बन गए तहसीलदार और हर राज्य के मुख्य मंत्री बना दिये गये चपरासी। वे चपरासी की तरह तहसीलदार के पीछे भूम। दक्षिण भारत में कांग्रेस की वहाँ कहीं थोड़ी मोटे मिल गई (व्यवधान), सजय के बारे में कहा नहीं हुआ। अगर सजय बड़ा गया होता तो उसका भी मजा आपकी मिल जाता।

15 00 hrs.

मजदूरों के सम्बन्ध में यहां पर बहुत सी बातें कही गई हैं—में इतना ही कहना चाहता हूँ हमारे धोपणा पत्र में मजदूरों के सम्बन्ध में जो वाक्ये किये गये हैं, हमारी सरकार उन वाक्यों को पूरा करने के लिये सतत प्रयत्नशील है। हमारे अम मंत्री रविन्द्र भाई का बयान अभी आप ने सुना होगा। ये नये नहीं हैं, स्टूडेंट फंडेशन में हमारे साथी थे और उपाध्यक्ष महोदय, आप भी इन की अच्छी तरह जानते हैं। मजदूरों से किये गये वाक्य को पूरा करने के लिए पूरा प्रयत्न किया जा रहा है —

1. एमर्जेंसी के दौरान औद्योगिक सम्बन्धों के पुराने ढांचे को तोड़ कर जो नया मजदूर विरोधी और अप्रजातान्त्रिक ढांचा पहली सरकार द्वारा लाया गया है, उसे समूल समाप्त करने का प्रयत्न हमारी ओर से चलन की व्यवस्था हो

रही है। इसके अन्तर्गत जो एंप्लॉय बाडीज और विभिन्न उद्योगों में बाई पाट्रोल कमेटीज पिछली सरकार द्वारा बनाई गई है उन्हें तुरन्त समाप्त किये जाने पर विचार किया जा रहा है, क्योंकि वे सभी नवली प्रतिनिधियों से भरी पड़ी हैं।

2. बिना देर किये सही मजदूर प्रतिनिधियों से विचार विमर्श किया जाना चाहिये कि अब किस प्रकार औद्योगिक सम्बन्धों को नियमित किया जाय, जिस से सामाजिक न्याय सब को उपलब्ध हो सके।

3. मजदूरों ने जनता पार्टी को जिस जोश से अपना पूरा समर्थन दिया है और जिस प्रकार आज मजदूर सरकार को अपना पूर्ण समर्थन देने को उत्सुक हैं, उस को देखते हुए इस अवसर का उपयोग औद्योगिक शान्ति को स्थायी बनाने के लिये करना चाहिये और उनके प्रतिनिधियों के साथ बातचीत करके ऐसे राष्ट्रीय समझौते का प्रयत्न करना चाहिए जिस से मजदूरों को न्याय और देश की औद्योगिक शान्ति मिल सके। यह विश्वास है कि जनता सरकार को मदद करने के लिये मजदूर वर्ग हर तरह से तैयार है और इस के लिये जिस त्याग की आवश्यकता है उस में अपना न्यायोचित भाग देने से पीछे नहीं हटेगा।

4. सरकार का यह प्रयत्न है कि औद्योगिक विकास, औद्योगिक सम्बन्ध, धर्मिक प्रवृत्ता, नितन मूल्य सामाजिक, आदि पर मजदूरों के सहयोग से ही राष्ट्रीय नीति का निर्माण हो और इन सब नामों में अब किसी प्रकार की देरी नहीं होनी चाहिये—यह हमारी सरकार नीति है।

मैं एक बात कहना चाहता हूँ—मुझे अफसोस है कि अभी तक श्री यशराम राय चव्हाण यहां नहीं आये हैं। हम चाहते थे कि वे मेरी कुछ बातों का जमा देते। वह मेरी इस बात को जानते हैं कि ज. मुख्य प्रवक्ता

[श्री राज नारायण]

मेरे सामने होता है तो उस की शक्ति को देखते ही मुझे जोश आ जाता है और फिर मेरी जिह्वा पर सरस्वती आ जाती है, अपने आप आ जाती है। इसी लिये चव्हाण साहब यहां नहीं आये। मैं पूछना चाहता हूँ—क्या इन्दिरा सरकार जनतन्त्र का अर्थ स या अलिफ बे पे या ए वो पी जानती थी? कतई नहीं जानती थी। जनतन्त्र केवल एक शब्द है, समाजवाद केवल एक शब्द है और जनतन्त्र समाजवाद का आचरण है, व्यवहार है, कर्म है। तो इन्दिरा जी से बहुत कर इस का दुश्मन कोई नहीं था—इस बात को जनता मुक्त कंठ से कह रही है। क्या आज मैं इस अवसर पर इस बात को कह सकता हूँ कि किस प्रकार से कमलापति त्रिपाठी की सरकार को गिराया गया, किस प्रकार से यहां पर एक सार्वजनिक पी० ए० सी० और पुलिस विद्रोह से जोड़ा गया। वह पी० ए० सी० का विद्रोह नहीं था, वह सरकार को घोर से एक सार्वजनिक पी०—कमलापति को हटाने को। कमलापति हटे, फिर हमारे भाई को बहा भेजा गया, उस के बाद हमारे भाई को हटा कर नारायण पंत तिवारी भाय और फिर उन की हैमियत एक चपरासी की बना दी गई। भाय जानते हैं सचय गांधी तहसीलदार हो गये और वह चपरासी बन गये—यह जनतन्त्र है। हमारे सामने वाले मित्रों ने कुछ थोड़ा समाजवाद जरूर पढ़ा होगा—बतलाइये, क्या यही समाजवाद है? हमारे लिये जनतन्त्र और सोशलिज्म दोनों पर्यायवाची शब्द हैं। बिना जनतन्त्र के समाजवाद नहीं और बिना समाजवाद के जनतन्त्र नहीं। उपनिषद् में कहा है—

समम् भजान्ति जना अस्मिन् समाज

जहां जन-जन में समता का व्यवहार हो, वह समाज है।

मनमया भाजः प्रजा न यस्य.

समता के द्वारा प्रकाशित हो, वह समाज है। जहां विषमता है वह समाज नहीं है। क्या भूतपूर्व सत्ताधारी दल बता सकता है कि तीस साल के शासन में समता की ओर उड़ते के लिये कोई प्रगति हुई है।

आप यह देखिये कि आज देश की जनता के एक छोटे से वर्ग के पास समूची राष्ट्रीय आय का 14 प्रतिशत है और इतने पैसे पर देश की 7 प्रतिशत जनता जीवन निर्वाह करती है। यह है 30 वर्ष की योजना का नतीजा भूतपूर्व सरकार का, सर्वे माफ इन्डिया की रपट के मुताबिक। यह सब मेरा जेल का अध्ययन है। 47 हजार बन्धुभा मजदूर इमर्जेंसी में मुक्त किये, बड़ा डबोरा पीटा गया दुनिया में बड़ा डबोरा पीटा गया किन्तु जून 12, 1976 की "मैनस्ट्रीम" पत्रिका में यह निकला है कि बादा जिला के 60 प्रतिशत बन्धुभा मजदूर अपने पुराने मालिकों के यहां लौट गये। क्यों लौट गये? भूतपूर्व सरकार इसका जवाब दे। इसलिए मेरा कहना यह है कि केवल प्राप्तेन्द्रा के लिए ही यह प्रचार है। जिस तरह का दुष्प्रयोग, नाजायज इस्तेमाल रेडियो और टेलीवीजन का हुआ, इस तरह से कोई जनतन्त्र सरकार कर नहीं सकती।

पांचवीं योजना की लागत व्यय में प्राइवेट सेक्टर के शेयर को देखिये। उसमें निर्धारित पूंजी 161 अरब रुपये से बढ़ा कर 270 अरब रुपये कर दी गई। यह प्राइवेट पूंजी में 68.7 प्रतिशत की वृद्धि क्यों की गई? प्राइवेट सेक्टर में यह वृद्धि क्यों की गई? क्या यह समाजवाद है, जनतन्त्र है? यह चोहानवाद है, इन्दिरावाद है। क्या बेमतलब की बात करते हैं? प्राइवेट सेक्टर में यह वृद्धि क्या इसलिए की गई कि चुनाव में ऐसा मिल जाए। कांग्रेस सरकार अब तक क्या करती रही

[श्री राज नागयण]

मेरे सामने होता है तो उस की शक्ति को देखने ही मुझे जोश आ जाता है और फिर मेरी जिह्वा पर सरस्वती आ जाती है, अपने आप आ जाती है। इसी लिये चव्वाण मार्टव यहाँ नहीं आये। मैं पूछना चाहता हूँ—क्या इन्दिरा सरकार जनतन्त्र का अर्थ सदा प्रतिक के पक्ष में या एकोपी जानती थी? कनई नहीं जानती थी। जनतन्त्र केवल एक शब्द है, समाजवाद केवल एक शब्द है और जनतन्त्र समाजवाद का आचरण है, व्यवहार है, कर्म है। तो इन्दिरा जो मे वर कर इस का दुश्मन कोई नहीं था—इस बात की जनता मुक्त नष्ट से बच रही है। क्या आज मैं इस अवसर पर इस बात का कह सकता हूँ कि किस प्रकार स कमलापति त्रिपाठी की सरकार को गिराया गया, किस प्रकार से बहा पर एक ठाराम्य पी० ए० सी० और पुतिम विद्रोह से जोड़ा गया। वह पी० ए० सी० का विद्रोह नहीं था, वह सरकार की ओर से एक साजिश थी—कमलापति का हटाने की। कमलापति हटे, फिर हमारे भाई की बहा भेजा गया, उस के ब द हमारे भाई की हटा कर नारायण बस त्रिपारी आप और फिर उन की हैसियत एक चपरामी की बना दी गई। आप जानते हैं सबसे गांधी सहस्रीनशर हो गये और वह चपरामी बन गये—यह जनतन्त्र है। हमारे सामने वाले मित्रा ने कुछ थोड़ा समाजवाद जरूर पढ़ा होगा—जनताद्वय, क्या यही समाजवाद है? हमारे लिये जनतन्त्र और साम्यनिष्ठम दोनों पर्यापवाची शब्द है। बिना जनतन्त्र के समाजवाद नहीं और बिना समाजवाद के जनतन्त्र नहीं। जनपद मे कहा है—

समम् अज्ञान्ति जना अस्मिन् समाज

बहु जन-जन मे समता का व्यवहार हो, वह समाज है।

समता का प्रकाश यम्प

मनता के द्वारा प्रकाशित हो, वह समाज है। जहाँ विषमता है वह समाज नहीं है। क्या भूतपूर्व सत्ताधारी दल बना सकता है कि तीस साल के शासन में समता की ओर बढ़ते के लिये कोई प्रगति हुई है।

आज यह देखिय कि आज देश की जनता के एक छोटे से वर्ग के पास समूची राष्ट्रीय आप का 14 प्रतिशत है और इतने पैसे पर देश की 7 प्रतिशत जनता जीवन निर्वाह करती है। यह है 30 वर्ष की योजना का नतीजा भूतपूर्व सरकार का, सर्वे प्राक इन्डिया की रपट के मुताबिक। यह सब मेरा जेल का अध्ययन है। 47 हजार बन्धुप्रा मजदूर इमर्जेंसी में मुक्त लिये, बहा डोरा पीटा गया दुनिया में बहा डोरा पीटा गया किन्तु जून 12, 1976 की "मैनस्ट्रीम" पत्रिका में यह लिखा है कि बादा बिला के 60 प्रतिशत बन्धुप्रा मजदूर अपने पुराने भाविकों के पहा लौट गये। क्यों लौट गये? भूतपूर्व सरकार इसका जवाब दे। इसलिए मेरा कहना यह है कि केवल प्रोपेगेंडा के लिए ही यह प्रकार है। जिस तरह का दुहायोग, नाजायज इस्तेमाल रेडियो और टेलीवीजन का हुआ, इस तरह से कोई जनजी सरकार कर नहीं सकती।

पाकवी योजना की लागत व्यय में प्राइवेट सेक्टर के रीयर की देखिये। उसमें निर्धारित पूँजी 161 अरब रुपये से बहा कर 270 अरब रुपये कर दी गई। यह प्राइवेट पूँजी में 68 7 प्रतिशत की वृद्धि क्या की गई? प्राइवेट सेक्टर में यह वृद्धि क्यों की गई? क्या यह समाजवाद है, जनतन्त्र है? यह चौहानवाद है, इन्दिरावाद है। क्या बेमनसब की बात करते हैं? प्राइवेट सेक्टर से यह वृद्धि क्या इसलिए की गई कि चुनाव में पैसा मिल जाए। बापिस सरकार अब तक क्या करती रही

है? यह करोड़पतियों से मोट लेती रही और उस से गरीब होती रही है गरीबों ने वोट और फिर गरीबों ने वोटों से पराजय पतिया के मोटी की हिकाजत करती रही है। सब की गरीब ने कहा कि ठीक है करोड़पतिया से तो नाट, मगर वोट तुम को नहीं मिलेगा। उस मोट की हिकाजत के लिए मैं क्या बताऊँ, आप जानन ही हैं और इस को कहने की जरूरत नहीं मगर कुछ जानता है तो रायबरेली में जा कर पता लगाए कि वहा पर चुनाव से तीन दिन पहले क्या हुआ। हमारे घर मंत्री या सरकार चाहे तो इस पंजाब बँदा से कि वहाँ पर सरकारी स्तर पर क्या क्या जुल्म हुए हैं और वित्तता पता लोगो को बादा गया है वोट लेने के लिए। किस तरह से हमारे एजेन्टों को पैसा दे कर तोड़ने की कोशिश की गई और किस तरह से भ्रष्टारों को मिलाने की कोशिश की गई? काउन्टिंग के दिन धावन साहब को वहा पर फोन जाता है, दो दो बार फोन गया लेकिन जब मैं वहा पर पहली बार बोल रहा हूँ तो वहाँ के जिलाधीश की इस बात के लिए सुवारक्याद दिये बिना नहीं रह सकता कि जिलाधीश से जब एम० पी० ने कहा कि दिल्ली से दूक काल आया है, तो उस ने कहा

'Now I am sitting in the court. After delivering the judgment I will come'

उसने कहा कि मैं कोर्ट में बँठा हुआ हूँ। फिर एप्लीकेशन दिया गया कि रिपोल हो। रिपोल होने में कितने घंटे लगने हैं। हमारे एक्स एडमोकेट जनरल कक्कर साहब वहा मौजूद थे। उन्होंने कहा कि कोई रिपोल नहीं हो सकता। इस पर बहस हुई। क्लेक्टर ने सब सुना कि पाँचों अम्ब्वली शेखों की काउन्टिंग हो चुकी है। साडे सात लाख की वह बस्टीद्यूनी है। क्लेक्टर ने कहा कि रिपोल नहीं हो सकता। फिर उधर से कहा गया कि हम और

एप्लीकेशन दे रहे हैं कि रिवाऊंटिंग हो। इस पर रिटनिंग भ्रष्टार ने कहा कि काउन्टिंग का समय आने किमी टेबल पर एतराज नहीं किया और भ्रष्टार कर रहे हैं। यह बात भी उनकी नहीं मानी गई। इस बात का भ्रष्टार में प्रचार किया गया कि राज नारायण के एजेंटों ने जबर्दस्ती हमारे वोटों को पोलिंग स्टेशन पर नहीं जाने दिया। इतना सब कुछ होने पर भी और एक घंटा खर्च करने पर भी उन्हें कुछ नहीं मिला। क्लेक्टर ने फंगला दे दिया कि कोई रिवाउंटिंग और रिवाऊंटिंग नहीं होगी। यह है डेमोनेसी। इसके बाद तीन बजे रेडियो पर घनाऊस हुआ और चार बजे हटी एमजेंसी। चार बजे के रेडियो में बताया गया कि रायबरेली की जनता ने इंदिरा जी को करीब 56 हजार वोटों से हरा दिया। इस सब के बावजूद देश की मर्यादा, इज्जत, महिमा, शान-भावित, गरिमा, को बचाया गया। फिर भी वे कहते हैं कि जनता पार्टी वही की ईंट, वही का रोड़ा है। मित्र, जनता पार्टी एक है। इसका नाम एक है। इसका झंडा एक है, चुनाव-चिह्न एक है। इसका धोषणापत्र एक है। इसकी नीति बस्तव्य एक है। फिर कौंसे कहते हैं कि जनता पार्टी बिचड़ी है? क्या यह सब जनता को भ्रमित करने के लिए कहते हो?

मैं आपको बताऊँ कि कितने राजे-महाराजों को कांग्रेस पार्टी ने टिकट दिये और सब हम लोगो से हारे। राजा साहब भाण्डा हारे। हमारे रुपनारायण जी यादव से हारे राजा दिनेश सिंह जी। "जाको पिया मानी वही सुहागिन नाम"। ये देखिए हमारे यमुना प्रसाद जी शास्त्री महाराजा रीवाँ को ध्वस्त करने आए हैं। महाराज कुमार बचनसिंह, महारानी बलरामपुर, राजा मनकपुर, नवाब रामपुर, राजा साहब पटियाला कितने नाम गिनाऊँ? इनकी फिटकट दिया था? अभी और चाहिए तो सुनो राजा चरणसिंह महाराज

[श्री राज नारायण]

बड़ोदा महाराजा त्रिपुरा कोटा । क्या ये सब मोहलिया हो गए हैं? इस पर भी यशवन्तराव जी कहें कि जनता पार्टी तो थिचडी है । क्या राजा महाराजाध्याय ५ मास कांग्रेस पार्टी की थिचडी बन गयी है जो खान में उन्हें बहुत पसन्द है ? क्या इसीलिए उन्हें थिचडी का नाम बहुत याद आता है ? जनता पार्टी थिचडी नहीं है । जनता पार्टी एक है और एक रहेगी । हम पार्टी का कोई भी बाल बच्चा नहीं कर सकते । यह जनता की पार्टी है । हमने आपको पहले ही बता दिया है कि जिस तरह से कृष्ण ने जेल में जन्म लिया था उसी तरह से जनता पार्टी ने भी जेल में जन्म लिया है । मानूँ है कि इसका चुनाव जिन्हें क्या है ? चक्र के बीच में खड़ा हुआ हुनकर । चक्र कृष्ण हैं और हुनकर बलराम । कृष्ण और बलराम दोनों जनता पार्टी की सहजता के लिए खड़े हैं । हमारे घरलामह भी बलराम हैं । कृष्ण भी वहीं से आएगा । कृष्ण छिना रहता है । जिसको कृष्ण को भारना होता है उस पर चक्र को रॉक देना है । अगर कृष्ण से चक्र का चलवाना होगा तो बलराम इसारा कर देंगे । ऐसी है जनता पार्टी । यह पार्टी से लगेगी और प्रगति करेगी ।

बहुत कहा गया कि हमने निर्णय बसाया । इतने प्रतिज्ञा करने का निर्णय बसाया । इनके बारे में मैं बहुत बड़े आकाशों पर नहीं जाऊंगा । बहुत पर जिसकी योजना होगी, वह जवाब देगे । मैं तो यह कहना चाहता हूँ कि आप दायीम का निर्णय देय सीरिज और छोटे-छोटे मुद्दों का निर्णय देय सीरिज । मुद्दों के भी भारत का निर्णय पहले से कम हुआ है ।

इसलिए मैं यह रहा था कि कमिटी क्वाड्रिग तो होता चाहिये किन्तु जबदस्ती नसबन्दी नहीं होनी चाहिये । बूढ़ रूप में छोटा परिवार माग रूँगे यह मुझ बात है । हमने इतिहास जी ५1 लिखा कि राम राज्य में परिवार मुनिबोधित था । तत्काल रामायण

में मैंने उनकी उद्धरण दिए । मैंने लिखा कि रामायण जी के केवल दो लड़के थे, लव और वृष्ण । भरत के केवल दो लड़के थे तस और मरु । लक्ष्मण के केवल दो लड़के थे, भगद और चित्रकणु । सहदेव के केवल दो लड़के थे, सुबाहु और उपनेतु । चारों भाइयों के दो दो लड़के थे । ठीक मुनिबोधित परिवार था । राम राज्य में जबदस्ती न बन्दी नहीं थी, नहीं थी, नहीं थी । इसलिए जनता पार्टी ने अपने चुनाव घोषणापत्र में लिखा है कि जबदस्ती नसबन्दी नहीं होने दी जाएगी —

श्री बसन्त साठे आप क्या करते थे ?

श्री राज नारायण : मान्य निग्रह, इंडिय निग्रह, इंडियन । यहाँ कोई बहनें तो नहीं हैं इसलिए मैं सोच दूँ कि ये सब काम मैं बहुत जानता हूँ लेकिन मैं भी इंडिय निग्रह करता हूँ । 1958 से अब तक घर नहीं गया हूँ ।

महानारायण बाल में भी कृष्ण का केवल एक लड़का था प्रद्युम्न । तब भी परिवार मुनिबोधित था, और जबदस्ती नहीं थी, नसबन्दी नहीं थी । पाँच पाण्डवों के दोपदी के पेट से एक एक बच्चा पैदा हुआ । एक धर्मराज युधिष्ठिर से, एक भीम से, एक धर्मराज से, एक नकुल से और एक सहदेव से । मगर जबदस्ती नसबन्दी नहीं हुई ।

धन धाराइये हमारे मुहम्मद साहब पर । उन के एक ही लड़की थी और दामाद से केवल दो बच्चे पैदा हुए—हसन और हुसैन । जबदस्ती न बन्दी नहीं थी, परिवार मुनिबोधित था ।

SHRI D V ALAGESAN (Arkonam) How many sons did Dridharashtr have?

श्री राज नारायण : धर्मराज और रावण की मरहति कांग्रेस पार्टी की थी । वह वह जाने । हमारी मरहति राम की है, युधिष्ठिर की है । हम उस का क्यों उदाहरण दें ।

श्री वसंत साठे - धृतराष्ट्र के लिये नस-बन्दी जहरी है ।

श्री राज नारायण भगवत धृतराष्ट्र कांग्रेस बनेगी तो उस का तरीका हम बोर्ड निकालेंगे ।

मैं बह रहा था कांग्रेस चार्ज के लिये कि भाई आप अपना शास्त्र पढ़ो, नीति पढ़ो, गांधी जी को भी पढ़ो । पुरुष जब बच्चा पैदा करना चाहता है तभी बच्चा पैदा होता है । पति पत्नी का सम्बन्ध बच और कैसे हो कि बच्चा पैदा हो । कब हो, कैसे हो कि बच्चा पैदा न हो । हम से आप भ्रमण से पूछोगे तो बता देंगे । मासिक धर्म होता है, स्त्रियाँ रजस्वला होती हैं, 14 दिन के बाद अगर तुम पत्नी के साथ सम्भोग करोगे बच्चा नहीं होगा । और 5, 6 दिन के बाद करोगे तो बच्चे की तरह बच्चे पैदा करोगे । चूँकि ससद् के सम्मानित सदस्य हैं इसलिये हम आप को झूठ नहीं बोलते हैं । हम धर्म शास्त्र पढ़ें हैं जिस में लिखा है कि सदन में पहुँचे जाओ नहीं । और अगर जाओ तो सत्य को असत्य से रेंधा न जानें दो । तो हमने थोड़े में बता दिया, और सीखना चाहोगे तो बहुत सी किताबें हैं । हमने सिखा दिया इस तरह से चला, अनावश्यक ढंग से बेमसलब बात न करो । नीकी पर फीकी लगे बिन भवसर की बात । बिना भवसर की बात अच्छी होई पर भी फीकी लगती है । बनत न मुद्ध में रस, अगर रसुह्य । अगर रस अच्छा है अगर जब लड़ाई हो रही हो उस वक्त कोई कहे कि बलमबा घर न आये मोर उमरिया सारी बीती जाय, अच्छा नहीं लगेगा । फीकी पर नीकी लगे कहिये समय विचार, सब के मन हर्षित करे बयो विवाह न गारि । विवाह में औरतें गाली देती हैं कितना अच्छा लगता है । और अगर वही गाली दूसरे मौके पर दो तो सर फुटवेल हो जाय । इसलिये बेभवसर बात न कहो । सत्य बात कहो, नीति के साथ चलो । और इस बात को हमारी मान खो

वि कांग्रेस पार्टी ने 30 साल तक गांधी जी के रास्ते को छोड़ कर इस देश का बहुत ही अहित किया है ।

और एक बात कह दू क्योंकि गृह मंत्री जी मौजूद हैं व्हाट माफ हिस्टरी, इतिहास का चम्र देखिये कि कृष्ण पैदा होने हैं जमुना के किनारे और मरते हैं समुद्र के किनारे । गांधी पैदा होने हैं समुद्र के किनारे और मरते हैं जमुना के किनारे ।

कृष्ण के मरने के पहले उनका धाम के लोग जब उनकी जेने के लिये आये तो कृष्ण ने कहा कि हमको थोड़े दिन और छोड़ दो क्योंकि हमारा यदुवर्मा परिवार इतना शक्तिशाली हो गया है कि यदि मैं इनकी इस शक्ति के रहते हुए यहाँ से छोड़कर चला जाऊँ तो ये किसी को रहने नहीं देंगे, इसलिये मैं पहले अपने परिवार का नाश कर लूँ, तब चला । यह कृष्ण की क्षमता थी, उन्होंने कहा कि अपने परिवार का नाश करने के बाद इस दुनिया से अपने को उठाऊंगा । आप किसी में क्या यह क्षमता है ?

हमारे में यह क्षमता है, इसलिये चाहे मैं लखनऊ में रहा, दिल्ली में रहा, हमारे साथ हमारे परिवार का एक आदमी भी नहीं रहा ।

कृष्ण ने कहा कि मैं बुद्धि हूँ और हमारा परिवार शक्ति है । बुद्धि चली जायेगी तो शक्ति रह जायेगी और वह राजस हो जायेगी । वह किसी को नहीं रहने देगी । इसलिये मैं अपने रहते रहते इस शक्ति का नाश कर के जाऊंगा । फिर वे श्रुतियों को ले गये, आप दित्तवाये और सब नाश हुआ है ।

गांधी जी ने 29 जनवरी, 1948 को क्या कहा, यह मैं अपने बन्धुओं से करबद्ध प्रार्थना करूँगा कि जो कांग्रेस में है या हमारे दल में भी है, वह सब गांधी जी के इस वाक्य

[श्री राज नारायण]

को हृदयगत करने। गांधी जी ने कहा कि "कांग्रेस तो तोड़ दो म्र इसकी उपयोगिता नहीं रहेगी। 30 तारीख को लोग गांधी जी के पास गये और कहा कि वापू अभी यह लेख जाने लायक नहीं है। गांधी जी ने कहा कि म्र। यह जाये समय उपयुक्त म्र गया है यह लेख प्रकाशित होने के लिये। 30 तारीख को गांधी जी ने वह लेख प्रकाशित हो। के लिये दे दिया।

मैं जानना चाहता हूँ कि क्या गांधी जी पागल थे, क्या गांधी जी बेवकूफ थे? गांधी जी की इस राय को कार्यान्वित क्या नहीं किया गया? गांधी जी चाहते थे समझते थे कि अगर मैं चला जाऊंगा तो मेरा परिवार अपनी शक्ति के सामने किसी को दिक्कत नहीं देगा। इसलिये मैं अपने परिवार का खर्च करने लव जाऊंगा। गांधी जी चाहते थे कि कांग्रेस के पास जा इतनी शक्ति हो गई है वह हमारे कारण और इस देश की जनता के कारण हो गई है इसलिये वह उस शक्ति को सुझाकर जाना चाहते थे। अपने मरने के 24 घण्टे पहले उन्होंने यह लिखा, मगर देश का दुर्भाग्य था कि गांधी जी जब सभा में आ रहे थे तो उसी सभा के बीच गांधी जी को मार दिया गया।

SHRI VAYALAR RAVI (Chirayinkul) The hon Minister should not mislead the House. Gandhiji said in that article in the Harijan that the Congress had a historical role and so it should be dissolved. I can produce the document for him. The hon. Minister is not expected to mislead the House. I can get you the issue, please read it.

श्री राज नारायण : मेरे पास तारीखवार गांधी जी का लेख है। जहाँ उनका प्रत्यक्ष-वचन में तारीखवार लिख है। अब यही निवेदन है कि गांधी जी ने यह कहा क्या? गांधी जी ने इसलिये कहा कि अगर हम नहीं रहेंगे तो कांग्रेस अपनी गति का उपयोग कर के देश

की जनता की चौपट कर सकती है। क्या कांग्रेस ने वही नहीं किया? वही किया। जो भी हो मगर गांधी जी के मरने के बाद हम वहां नहीं थे।

मेरी प्रार्थना है कि सारे का सारा समुच्चय सब जनता पार्टी अपने में एक है, इसका सिद्धान्त एक है इसका बंडा एक है, इसका चुनाव घोषणा-पत्र एक है। यह एक ही रहेगी कांग्रेस मर जायेगी, तो भी जनता पार्टी का बाल-बाधा नहीं कर सकेगी। यही एकमात्र पार्टी है जो हर हिन्दू, मुसलमान, सिख, ईसाई, चमार, ब्राह्मण, बनिया, धोबी, भूमी आदि सब की पार्टी है, और जनता की पार्टी है, हर मंद-श्रोत की पार्टी है। मैं प्रार्थना करता हूँ कि सभी भी सदृष्टि आये। कांग्रेस पार्टी छोड़ कर आध, और जनता पार्टी में शामिल हो जायें।

MR DEPUTY-SPEAKER Now, we are going to start discussion on Private Members' Business. But I am sorry to say that there are so many Members who would like to speak today. They would not be able to speak today.

Shri Kanwar Lal Gupta

श्री यश दत्त शर्मा (गुरदासपुर) उपाध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है। आप किसी भी विषय के लिये समय निश्चित करने हैं, और सूची पर जिन सदस्यों के नाम हैं उनके लिये ठीक तरह से समय की व्यवस्था करना आप का कर्तव्य है ताकि सब को बोलने का अवसर मिल सके।

MR DEPUTY-SPEAKER You are a new Member.

(Interruptions)

SHRI YAGYA DATT SHARMA (Gurdaspur) I am not a new Member.

MR. DEPUTY-SPEAKER Then you should know this thing that there

is no time limit for a Minister I would like you to exercise self-restraint

SHRI YAGYA DATT SHARMA
There are a number of speakers who took unlimited time

MR. DEPUTY-SPEAKER You should have raised this objection then and there. As far as I am concerned, I know that Mr. Raj Narain was taking a lot of time. I could not stop him because he is a Minister.

The debate will continue on the next day

15 30 hrs

RESOLUTION RE APPOINTMENT OF HIGH POWERED COMMITTEE TO GO INTO CERTAIN CONSPIRACY

MR. DEPUTY SPEAKER Now we proceed with the Private Members' Business. Before we begin discussion on Private Members Business, we have to fix time for this resolution. Otherwise the next resolution will not see the light of the day. So, we do like this. We should fix sometime for this resolution, may be two hours.

SHRI K. P. UNNIKRISHNAN (Bada gara) I am on a point of order. You kindly see Rule 173(i) to (iv). You see this resolution. Unfortunately it is very badly phrased and worded. What is being sought is almost an omnibus enquiry mentioning not only Government of India but also various other individuals and various scandals not pin pointing one particular theme. As far as 173(i) is concerned it is mandatory and it definitely lays down that the resolution shall be clearly and precisely expressed. As it follows you will see from this resolution as it is worded today it clearly attracts and violates every one of the above rules. Uptil now, we had no chance to raise any objection on this question.

Therefore I am raising this point of order before it is discussed. We have very serious reservations and particularly it will be a very bad precedent if the words joint deliberate conspiracy by the erstwhile Government of India remain on this. I would like to make it clear that we have nothing against your proceeding in any manner against any individual or on any particular issue but ultimately this House must protect not only the dignity of the Government of India but also of this House. But on this side, I can definitely assure you that we will not come in any way in your way on any kind of enquiry. But this is a vital issue this is a procedural issue.

श्री मधु लिमये (बाका) अध्यक्ष महोदय, व्यवस्था के प्रश्न पर विचार करने के पहले जो हमारे नियम हैं उनको ठीक से देख लें। उनीकरण् जी का कहना है कि इसमें कई मामले आए हैं और यह इस खण्ड का उल्लंघन करता है।

'In order that a Resolution may be admissible, it shall satisfy the following conditions, namely,

(1) it shall be clearly and precisely expressed, and

(2) it shall raise substantially one definite issue."

अध्यक्ष महोदय यह तो आपने मंजूर किया है तभी मांडर वेपर पर आया है लेकिन प्राइमरी पेसी आपने कहा कि नियम के अनुसार है, इसलिए आपन इस को मांडर वेपर पर रखा। अब उनीकरण् जी ने कुछ आशय उठाया है। मुझे यह कहना है कि इस प्रस्ताव में एक ही विषय है और वह विस्तृत स्पष्ट है। वह विषय यह है कि एक जाच कमीशन बंटाया जाय और तीन महीने के बाद वह अपनी रिपोर्ट दे। यह इरादा मुख्य आशय है। मेरिटा उदाहरण के तौर पर कुछ बतें बही गई हैं। मैं खुद इसमें एक मशौघन देने का रहा हूँ कि सर्वेसमिट आर. इन्स्टीट्यूट कहा

[था मधु विमये]

मया है उसर स्थान पर भूपूब प्रधान मन्त्री
रया जाय । उनी गुण्ण् की बा जो सुचाव
है उसने लिप में पहले से साच रहा है और
भारत सरकार की जगह पर से यह संगोपन
देने जा रहा या कि गुप्तपूर्व प्रधान
मन्त्री रहा जाय । ता इसका तो वे मबूब
बर्गे है । फिर तो कोई फाजिये उनका रहे
रहा है ।

AN HON MEMBER You cannot
move it.

SHRI MADHU LIMAYE Why not?
I can move it immediately after Mr
Kanwarlal Gupta has moved his re-
solution.

MR DEPUTY-SPEAKER As far
as the point of order raised by Mr
Unnikrishnan is concerned the Spea-
ker having considered all the aspects
has admitted the resolution. So, I
have nothing to say in the matter

Mr Kanwarlal Gupta.

SHRI K P UNNIKRISHNAN I
may be perturbed to point out that it
is totally violative of the Rules of
Procedure. What is the relation be-
tween Maruti and Mr Bansilal and
Nagarwala case? We are creating a
bad precedent today I want this to
go on record. What is the relation
between Nagarwala case and Maruti
What do you want to discuss? Do you
want to discuss Maruti or Nagarwala
case? (Interruption)

MR DEPUTY-SPEAKER Shri
Kanwarlal Gupta.

श्री केशव राम गुप्त (निवा सर) :
मैं समझता हूँ कि यह एक गलत प्रश्न है
इसका उत्तर नहीं है ।

SHRI C. M. STEPHEN (Bakshi) I
raise on a point of order Sir, you
have not given any ruling. You have

made a remark only. You have stat-
ed that since the Speaker has admit-
ted the resolution, there is nothing
more that the Chair can do about it.
May I submit that the rules stipu-
lated in the Rules of Procedure are
binding on the House and every
Member has a right to take
shelter under the rules? The
Speaker may have admitted it
without hearing the other side. Once
he has admitted it and comes before
the House the House has got a right
to examine whether it violates any of
the rules stipulated in the Rules of
Procedure. The Rules of Procedure
are binding on all of us and we have
got the right to make a claim on the
Rules of Procedure.

What the Speaker has done is that
he has admitted it. By admitting it
it has got a right to come on the order
Paper. It has come on the Order
Paper. Until it comes on the Order
Paper we do not get a chance at all.
What is the procedure? The ballot
takes place and the Member gets a
chance. The Member gives a resolu-
tion. If the resolution is found to be
inadmissible another resolution is ad-
mitted and that resolution comes up.
It sees the light of the day only when
it comes before the House. The moment
it comes before the House, every
Member of the House has a right to
examine whether it conforms to the
Rules of Procedure. To deny that
right will be a repudiation of the
right which the Members have got
under the Rules of Procedure. I am
not here to support or repudiate what
Shri Unnikrishnan has stated but to
accept what you have stated is
governing condition with in substance
to every Member of the House
the right to act according to the pro-
visions of the Rules. There are un-
tenable provisions in the Rules relating
to the admission of a Resolution by
the Speaker but I submit that it is
null and void. The Speaker is only to
give the right to come on the
Order Paper. The moment it comes on the
Order Paper the Members have a right
to examine whether it conforms to the

Rules of Procedure of this House. Therefore, we must be heard as to whether it conforms to the Rules or Procedure. I submit that it violates every one of the provisions stipulated in regard to admissibility. You may kindly examine whether Shri Unnikrishnan's objection is sustainable or not on its merits and not on the basis that the Speaker has admitted it and therefore there is an estoppel.

MR DEPUTY-SPEAKER I have already given my ruling if you are going to raise the same matter again, there is no use in it.

SHRI SOMNATH CHATTERJEE (Jadavpur) The Speaker's decision is not open to challenge on the Floor of the House. Rule 174 makes that clear.

SHRI C M STEPHEN The Speaker's decision is only in regard to its admission and being put on the Order Paper. Once it comes on the Order Paper the House must examine its admissibility in the light of the Rules of Procedure.

SHRI SOMNATH CHATTERJEE Shri Unnikrishnan referred to Rule 173 and neither he nor Shri Stephen has gone beyond that. Rule 174 says

"The Speaker shall decide whether a resolution or part thereof is or is not admissible under these rules and may disallow any resolution or a part thereof when in his opinion it is an abuse of the right of moving a resolution or calculated to obstruct or prejudicially affect the procedure of the House or is in contravention of these rules."

Therefore, when a Resolution is submitted the Hon Speaker decides whether, in his opinion, it conforms to the Rules and it is only after that that it is admitted. Now, in the guise of a Point of Order, the Hon Speaker's decision to admit the Resolution cannot be challenged.

MR DEPUTY SPEAKER I have already given my ruling (*Interruptions*)

SHRI KANWAR LAL GUPTA I beg to move

"This House calls upon the Government to immediately appoint a high powered Committee consisting of some Members of Parliament, Judges and eminent public men to go into the question of joint deliberate conspiracy by the erstwhile Government of India, Maruti Ltd and its allied concerns and Shri Bansi Lal (former Chief Minister of Haryana and former Defence Minister of India) against the country and the people such as Maruti and Nagarwala Scandals and numerous illegalities committed by Shri Bansi Lal and submit the report to the Government within three months."

SHRI SAMAR GUHA (Contd) I would like to know whether as this is an important debate to be conducted in this House reports on the same can be published in the newspapers. There are two Acts—the Prevention of Publication of Objectionable Matters Act and the Publication of the Proceedings of Parliament Act. This Resolution concerns a vital matter and the whole country would want the whole debate to be reported in the Press so that the people come to know of it. If there is no difficulty about it, there should be no restriction in this regard on the Press. I want to know the exact position because it has already been intimated by the Government that these two Acts will be repealed. Will they be repealed with retrospective effect and will the Press be allowed to report the whole thing?

MR DEPUTY SPEAKER We are governed by the law of the land and I don't think there are any restrictions on the Press as such.

गृह मंत्री (चौधरी चरण सिंह): प्रगति माननीय मित्र ने सवाल उठा है कि अगर यह प्रोसिडिग पब्लिश हुई तो यह ऐक्जम्प्लि है, नए कानूनी का बहाल हो सक्ती है। मैं य नोट को तरफ से कह दिलाता हूँ कि प्रोसिडिग जो आरम्भ हो चुकी है फिलिये मैं इस सदन में हाथों धार वह पब्लिश होगा। य नोट कोई एक्जम्प्लि नहीं लेवी।

श्री कवर लाल गुप्त अध्यक्ष जी, जो प्रस्ताव मैं सदन के सामने रखा वह किसी बदले की भावना से नहीं रखा है और न ही किसी राजनीतिक दृष्टिकोण को सामने रख कर रखा है। यह प्रस्ताव केवल एक ही दृष्टिकोण सामने रख कर रखा गया है कि हमारे देश का राजनीतिक और सामाजिक जीवन स्वच्छ होना चाहिये। पाँचवा घाती और जानी है यह प्रस्ताव केवल आप लोगों के लिये नहीं है, आप सभी से इतने नाराज हो गये यह प्रस्ताव हम पर भी लागू होगा।

श्री एम० रामगोपाल रेड्डी (निद्रामा बाद) आप गलत तरीके से इसको पेश करना चाहते हैं।

श्री कवर लाल गुप्त कोई भी व्यक्ति अगर राजनीतिक जीवन में अप्रत्याचार करेगा, तो उनका अवश्य सजा मिलनी चाहिये, चाहे आप ही या जनता पार्टी हो, सरके निय यह लागू होगा। अगर देश में सही मर्यादा में प्रभुत्व चलाया है तो आप अप्रत्याचार, मेरी इस बात की स्वीकार करेंगे कि देश में अप्रत्याचार समाप्त होना चाहिये और वस्तुतः का राज्य लागू होना चाहिये।

पिछले 30 सालों में इस देश में जो कुछ हुआ और खाम तोर से पाच छ सालों में जो कुछ हुआ, उसने बाद हम यह कह सकते हैं कि शायद दुनिया के इतिहास में किसी भी प्रजातन्त्रिय देश में इतना अप्रत्याचार नहीं हुआ होगा, जितना हम देश में हुआ। सरकारी मशीनरी का दुरुपयोग करने, लोगों को दबा

कर और सरकार का दुरुपयोग करने सजय गांधी और भूतपूर्व प्रधान मंत्री ने, हरियाणा के भूतपूर्व मुख्य मंत्री वसी लाल ने जो कुछ किया, ऐसी भिमाल दुनिया के किसी भी प्रजातन्त्र में नहीं मिलती है।

15:47 hrs

[Mr. SPEAKER in the Chair]

अध्यक्ष महोदय, हरियाणा के स्पीकर ने एक पत्र लिखा है—वह कहते हैं—

"The truth is that, as in the case of several Arab countries if one struck a spade he would get oil, in Haryana if he did so he would find corruption"

अध्यक्ष महोदय यह केवल हरियाणा के बारे में नहीं है, यहाँ नहीं दिल्ली के छन्दर भी किसी चीज को उठा कर देख लीजिये, आपकी एक ही चीज मिलनी कि भ्रष्टाचार का चारों तरफ बोलवाता या और सरकारी मशीनरी का दुरुपयोग करके, सरकारी प्रकृति को दबा कर जिस प्रकार से रुपया बटारने की कोशिश की जा रही थी। प्रधान मंत्री ने अपने काल में एक ही कोशिश की—कड़ाई रुपया बटोरा, बड़े-बड़े लोगों का दबाकर बटोरा और उनका एक ही उद्देश्य था कि वह गद्दी पर बनी रहें, उनके धार उनका पैदा गद्दी पर बना रहे। जो सचय गांधी थे उनका एक सन्ना था कि वह कोई बत सकते हैं, बहुत बड़ी कार बना सकते हैं। मझे, अध्यक्ष महोदय इसमें कोई ऐतराज नहीं है—जैसे किसी के पैदे को बड़ा इन्फ्लुइन्सिस्ट बनने का अधिकार है, उसी तरह से प्रधान मंत्री के पैदे का भी अधिकार है, लेकिन यह योग्यता के आधार पर होना चाहिये, कंपमिटी के आधार पर होना चाहिये, परिषद के आधार पर होना चाहिये। दुर्भाग्य यह है कि 1971 में जब भारत पब्लिशिंग बनवाई गई तो आप को आश्चर्य होगा कि मेमोरेण्डम के छन्दर एक बनाए थे कि इन्फ्लुइन्सिस्ट बनने के लिये 100 मेमबर दस-दस

खप का खरीदना जरूरी होगा, लेकिन बाद में उस कनाडा को बदल दिया गया, उसमें कहा गया कि 100 बी वजाय 10 गैर खरीदना काफी होगा। इसका मतलब यह है कि सजय साहब 1000 गया भी लगाना नहीं चाहते थे, केवल 100 खप लगा कर 10 गैर खरीद कर वह माहति के मंत्रालय डायरेक्टर बन गए। 1971 में वह टैंक नहीं देते थे लेकिन आज वह करोड़पति बने हुए हैं आज मल्टी मिलियनर बने हुए हैं। 6-7 साल का मन्दर यह पैसा—या आप ससजो है कानूनी हथ स उनके पास आया है। मैंने इसके बारे में तकनीक डकटरी की है बड़ी मेहनत म डकटरी की है जिन्हें एक-एक करके आर का सामने रखना और मन्त्री महोदय स प्रार्थना करणा कि वह मेरी इस का का स्वीकार कर कि एक कमेटी बनाई जाए, क्योंकि 50 जवाहर लाल नेहरू ने भी जब सरकार पर यह किंग के बारे में कमेटी बनाई थी तब उन्होंने कहा था—मैं उनका कोट कर रहा हूँ—

'It is our duty from the point of view of maintaining high standards and conventions in public life and administration to give full consideration to any serious charges which might be made. Normally only the charges which have some prima facie substance in them should be subjected to a regular inquiry. Since they have been made to our President and they have been repeated often in the press and platform, I think, an inquiry is desirable.'

अध्यक्ष महोदय, उन्होंने इन्वायरी की लेकिन इस रीज में निछे 6 साल से इस मुद्दे में, एसेम्बली में, एसेम्बली के बाहर प्रेस में, अखबारों में बार बार एनिवेशन लगाए जा रहे थे लिख कर दिया जा रहा था लेकिन दुर्भाग्य की बात है कि तब एक डेलिगेट कोन्फेरेन्सी ऊपर में नीचे तब चल रही थी और उन डेलिगेन्स पर कोई भय नहीं

क्रिया गया और यह कहा गया कि कोई कार्यवाही चल नहीं है। अपने पार्टी के लोगों का बैठा कर यह वडिंट दिया जाता है कि सब ठीक है। मैं कहना हूँ कि यह सब आई-बाय है। आज जनता ने करबत ली है और नई सरकार बनी है। इस सरकार के सामने मैं एक एक चीज रख कर गिनाना चाहता हूँ और मैं चाहता हूँ कि उनकी इन्वायरी कराई जाए कि ये चीजें ठीक हैं या गलत। हमें इस देश के जीवन को स्पष्ट बनाना है और इस देश की अग्नि ले जाना है। इस देश में डेमोक्रेसी रखनी है तो इस दृष्टिकोण से चाहे बड़ा आदमी हो या छोटा आदमी मुकदमा सत्र पर चलाया जा सकता है। अध्यक्ष महोदय, आप सहमत होंगे कि अगर कोई बड़ा आदमी गलती करता है तो उसको ज़ादा से ज़ादा और कड़ी स बड़ी सजा मिलनी चाहिए।

मैंने पट्टी चीज ली मैं माफ़ि प्राइवेट लिमिटेड के बारे में कहना चाहता हूँ। उनके लिए सजय साहब ने 145 एकड़ जमीन ली। ज्वाइ डेवलपमेंट के नाम पर हरियाणा गवर्नमेंट ने जमीन एवायर की थी लेकिन प्राइवेट कम्पनी को 445 एकड़ जमीन दी गई। अध्यक्ष महोदय, दुनिया में फार्म और रोक्स रायस जैसे बड़ी बड़ी कम्पनियों के पास भी इतनी ज्यादा जमीन का एरिया नहीं है और दुनिया की किसी भी बड़ा कम्पनी और मोटर कम्पनी के पास इतना बड़ा एरिया नहीं है चित्तन कि माफ़ि के पास है और वह जमीन भी उनके थे एवे प्राइमरी में, बहुत सस्ते दामों पर मिली है। जो मार्केट रेट है उसके 15वें हिस्से से भी कम पर वह जमीन माफ़ि की थी गई है और केवल 40 लाख रुपय में वह जमीन दी गई है जबकि बाजार भाव से उसकी कीमत 4 करोड़ रुपय होनी चाहिए (व्यंग्य) मैं चाहता हूँ बात बत रहा हूँ और वह 1969 की बात है।

मैं यह भी कहना चाहता हूँ कि 45 लाख रुपया जो हरियाणा गवर्नमेंट को कम्पेंशन

[नी करारना गुण]

का मिलना था वह पैसा भी मारति न हरियाणा गवर्नर का बना दिया है। माप 1975 की बेलेंस शीट उठा कर देय लीजिए। उस बैलेंसशीट में 33 लाख 80 हजार 452 रुपये अभी भी 1975 में मारति को देना था। इसका मतलब यह कि 34 लाख रुपये मारति को दिए हरियाणा गवर्नर इनकॉरपरेट कर रही है। वह सस्ती जमीन दे रही है जंगल जमीन दे रहा है और ससक साथ 34 लाख रुपये और भी लगा रहा है। माप 1975 की बैलेंसशीट देय लीजिए। मेरे आंकड़ें रिजर्वेशन दीन हैं।

अध्यक्ष मंत्रीय में पूछ सका कि क्या यह पेट्रोलज कहा है? वह डिप्टी का जमान था और डिप्टी इन्स्पेक्टर का नक्शे को कमजोर नहीं हो सकती थी। उनकी बाय पैशन हुई है। यह पेट्रोलज कहा है ना और कहा है। इसा आवरीयान का कारण बशीलान को घोबलाइज किया गया। उल्लान सजय गांधी को घोबलाइज किया और सजय गांधी की बजह न उनकी माया जी प्राइम मिनिस्टर ने बशीलान जी न जो कुछ किया मा उग पर कुछ कामवाणी नहीं की। बा चाह कुछ पर और सजय सागर बाह मुठ कर गिरा ना उनका खिन्ना कोई बायवाही कर। बना नहीं था। करो के बा जो उनका नका र किया था उसके बारे में जज न कहा था कि नकल न गान काम किया है मारति का दवा कर और लोगों को उन्होंने ओलाना किया है और उन लोग को खा करों न लिए चीफ मिनिस्टर न काम किया था। इसलिए चीफ मिनिस्टर भी गेवा है।

मैं डेलीवर्ट कास्पिग्रेसी इसलिए कहता हू कि बसी साल ने सजय गांधी को घोबलाइज किया और खुश होकर श्रीमती इति गांधी ने उनको गलत काम करने की छूट दी थी खुला इसकी छूट थी बसी साल की दे दी। चालीस हजार की एकड़ वाली जमीन उनको

दम हजार की एकड़ में दे दी गई। फिर उनका पूरा दम भी उन्होंने घा रों किया। मैं जानता च हू कि मारति को उनका पीछाशानी कैसे दे दिया गया? रजिस्ट्री उसको बस कर दी गई? या तभी हा हो है जब पैसा दिया जाता है। जब तक यह हा हा है मजान उग पर नहीं बन सकता है। पैसा नहीं दिया गया तो रजिस्ट्री कैसे हुई उग जमीन का ऊपर बस्ट्रेशन कैसे हुआ। मैं समझता हू कि मार मुठ क मून के खिन्ना हुआ प्रोब जर न खिलाफ हुआ। पैसा नहीं दिया गया रजिस्ट्री भी नहीं हुई लेकिन बहा पर विडिओ छड़ी कर दा गइ। या मार प्रोग नका बायानयन था।

मैं जानता च हू कि क्या किसी और प्राइवट कम्पनी के साथ भी ऐसा किया गया है जिस तरह से श्री सजय गांधी की कम्पनी के साथ किया गया है इस प्रकार स बिना पैस लिये सरकार ने जिस और कम्पनी को देस में जमीन दी है। श्री हिन्दू देसाई बडे हुए हैं और म मुकद मधी तो रह चुके हैं वे यहां बडे हुए हैं मैं उनमें ही पूछता चाहता हू कि क्या उन्होंने किस धर कम्पनी के साथ ऐसा किया है जो प्रधान मंत्री का बडा नहीं था उसने साथ ऐसा किया है इस प्रकार र रियाया उग। जो है मगर नहीं किया है तो क्या यह सही नहीं है कि यह क्नीयर फजर था मिम्यूट आधोमिटी का और यावर का था गवर्नर मशीनरी का था। मैं समझता हू कि इट बाज ए फाउ धन दी पीपल लिविंग इन न बिजेजिज। उनको उग उकर इस तरह से जमीन एक्वायर करके उसको दी गई।

मैं यह भी बता देना चाहता हू कि 445 एकड़ में से दो सौ एकड़ जमीन खाला पड़ी हुई है और उसमें खती हो रही है। पांच लाख रुपये का सालाना उससे इ कम होती है। माप मारति का इनकॉम टैक्स का केस निकाल कर देखें और पता लगाए कि

क्या पाच लाख की इनकम कही बताई गई है ? नहीं बताई जा रही है मासति लिमिटेड में । सजय गांधी भी अपनी रिटर्न में नहीं बताते हैं । वह पैसा जेब में डाला जा रहा है । उस पर क्या कोई कानून लागू नहीं होता ? क्यों नहीं इनकम टैक्स आथोरिटीज उस पर कोई कार्यवाही करती है ? दो सौ एकड़ के फार्म पर काश्त होती है । हर साल लगभग पाच लाख रुपया उससे आमदना होती है । उस पर कम से कम इनकम टैक्स तो जबरन चाहिये । इन आमदानी का रिटर्न में 1 कहीं दिखाया जाना चाहिये । लेकिन दिखाया नहीं गया है । आप इनकमायरी करके पता लगा लें ।

अब मैं जो मैटीरियल उनको सप्ताई किया जाना था उसके बारे में कहना चाहता हूँ । उन दिनों में जब यह कारखाना बन लोहे और सीमेंट की बहुत कमी थी । वसील लाल जी की तरफ से उनको इतना कोटा दिया गया कि उसकी उन्होंने ब्लैक में बेचा, जो सरप्लस था । यहाँ दिल्ली के मोतियान खान में खुले आम ब्लैक में टुकों में ल कर उसको बेचा गया । अगर मंत्री महोदय इस बात का विश्वास दिलाए कि कोई कार्रवाई नहीं उनके खिलाफ होगी तो मैं उन लोगों को यहाँ लाकर पैसा कर सकता हूँ और जो खुल कर यह बयान देने को तैयार हैं कि मासति के टुकों में स्टील महा आता था और ब्लैक में बिखता था । ब्लैक इस प्रकार से करके 25 लाख का गोलमाल किया गया । अब आप उसने प्राफिट एंड लॉस एकाउंट को देखें तो पच्चीस लाख की जगह उन्होंने पाच लाख रुपया ही नफा इसका दिखाया है । क्या गवर्नमेंट मशीनरी का यह मिश्रण नहीं है ? कोटा ज्यादा क्यों दिया गया । अगर दिया गया और उसने पास भाल फांतू था तो कानून कहता है कि फांतू मात्र को मापस किया जाए सरकार को । ऐसा न करके उसको ब्लैक में बेच कर नाजायज तौर पर रुपया बनाया गया । जो पब्लिक गैर है जो पोलिटिकल आदमी है इस तरह की बात

उसको शोभा नहीं देती है, इस प्रकार से रुपया ऐंठना ठीक नहीं है ।

16 00 hrs

एक व्यक्ति ने दस रुपये वाले दस शेयर खरीदे और इस प्रकार से उनका एनवैस्टमेंट केवल सौ रुपये का है सारी मासति पब्लिक लिमिटेड में अर्थात् श्री सजय गांधी का खेतिन आज छ साल में उन्होंने एक जबरदस्त एकोनामिक एम्पायर खड़ी कर ली है । उस कम्पनी के साथ दो और कम्पनियां बन गई हैं । एक मासति हैवी वोहिकल्स बना ली है और एक मासति टेक्निकल सर्विसिज प्राइवेट लिमिटेड बना ली है । अब आप मोडस ऑफ़ी को देखें । मासति पब्लिक लिमिटेड में करीब 68 लाख का नुकसान हुआ । हर साल नुकसान हो रहा है । लेकिन हर साल हर साल इनके पैसा लोटा खादने हैं । खरीदने वाले बौन होते हैं ? जिनको बाजार का पता है, शेयर बाजार का पता है वे जानते हैं कि जिस कम्पनी को नुकसान होता है उस कम्पनी के शेयरों के भाव गिरते हैं और उस कम्पनी के शेयर खरीदने वाले नहीं रह जाते हैं । लेकिन यहाँ दुनिया से धजीब खींच होती है । मासति को हर साल 15, 20, 25 लाख का घाटा होता है, 68 लाख का घाटा 1975 तक हो चुका था लेकिन इससे शेयर हर साल खरीदे जाते रहे । पहले साल 25 लाख के 10 शेयर लोगों ने खरीदे । दूसरे साल 11 लाख के खरीदे । तीसरे साल 85 लाख के 10 शेयर लोगो ने खरीदे । फिनलोगो ने खरीदे ? बड़े बड़े इंडस्ट्रियलिस्ट्स ने खरीदे, बिजलाने ने खरीदे । क्यों खरीदे ? कोई अपना पचास लाख रुपया गटर में डालना नहीं चाहता है । इसलिए खरीदे कि पचास लाख इनवैस्ट करके पचास करोड़ का फायदा उनकी होगा, उन को मानूम था कि नई दिल्ली के व सफरदरजम रोड पर पहुंचना है तो बाया सजय जाना चाहिये, बाया मासति जाना चाहिये और बाया मासति जाकर उनको मोटा भी मिल सकता है, परमिट भी मिल सकता है । जो कम्पनी घाटे में जाती है मैंने बताया है कि उसके शेयर

[श्री नवर लाल गुप्त]

रोड रोकर बनाने के लिये मशीनरी कुल 12,231 रुपये की है। क्या आप विवरण करोगे कि 12 हजार की मशीनरी से आप रोड रोकर बना सकते हैं? वॉलेंसगीट में लिखा है कि 9,12 562 रुपये के भी फिनिश्ट प्राइजन्स किये और जो मैमी-फिनिश्ट है वह 680 281 रुपये के हैं यानी 16 लाख रुपये की प्राइजन्स 12 हजार रुपये की मशीनरी करोगी। बाह बाह यह तो कमाल है।

मैं पूछना चाहता हूँ कि इसका मतलब क्या है? रोड रोकर और पुर्ण बहु दूगरो से बनना रहे है और वह सरकार से ज्यादा पैसा लेकर उसे बेचते है। दूसरा से वह सस्ता खरीदने है और ज्यादा पैसा लेकर बेचत है। पहले 6 रोड रोकर उन्होंने श्री० एन० जी० सी० देहादूत को बेचे। अब तक जितने भी रोड रोकर बेचे गये हैं, वे सब सरकार को बेचे गये है या जो सरकारी सम्पत्ति हैं, उनको बेचे गये हैं। एक भी प्राइवेट भादमी ने रोड रोकर नहीं खरीदा। जितनी भी माहति की या सजय साहब की डीलिंग्स हैं, वे सारी सरकार के साथ है। इसका मतलब साफ है कि यह एक बहुत बड़ा फ्राड है। नाम यह है कि रोड रोकर है, लेकिन यह क्या है? दिन्सी में डी० डी० ए० के पास एक रोड रोकर इनका है, वह कहते हैं कि चलता ही नहीं, सक्ता लगाना पड़ता है, उसने भी नहीं चलता। लेकिन सजय साहब उनका गला दबाते हैं मफसरो को बुला कर कहते हैं कि तुम्हें खरीदना पड़ेगा। उनके पास कोई बचाव नहीं है, या तो वे मौकरी छोड़कर जायें, या उनका तबादला मिजोरम गैर में कर दिया गया। या तो मौकरी छोड़कर जायें, या रोड रोकर खरीदना ही पड़ेगा, क्योंकि प्रधान नवी का भावार्थ उनसे साथ था।

माहति टेक्निक्स जो तीसरी फर्म है, उसमें सोनिया गांधी मैनेजिंग डायरेक्टर और सजय गांधी डायरेक्टर हैं। इस कम्पनी में टेक्निक्स मोहड़ू के नाम से बहुत प्राफिट होता है। दोनों कम्पनियों का प्राफिट टेक्निक्स मोहड़ू के नाम से यहाँ इकट्ठा हो जाता है। यह कम्पनी है। उन के पास क्या टेक्निक्स मोहड़ू है? इन दोनों में से कौन एग्जक्ट है? उन के पास क्या मशीनरी है? बाखिर टेक्निक्स मोहड़ू देने के लिए भी कोई मशीनरी होनी चाहिए। उन के पास सिर्फ 5246 रुपये की मशीनरी है।

वेटील सेवर बनाने की बात भी बही जाती है, लेकिन वास्तव में वे नहीं बनते हैं। उन के पास सिर्फ 746 रुपये की मशीन हैं। इस तरह से लागू को धोखा देना और बेचत रुपया कमाना देशद्रोह है। इसी लिए मैंने कहा है कि यह एक वास्पीरेसी है और लोगों के साथ फ्राड किया गया है। मैं यह प्रस्ताव खुशी से नहीं रख रहा हूँ, लेकिन जनहित को सामने रखते हुए मुझे यह सब कहना पड़ रहा है।

इस कम्पनी का प्रायजेक्ट पहले टेक्निकल मोहड़ू था। तीन दफा एम्ब एंड प्रायजेक्ट्स बदले गये। उन्होंने यू० एस० ए० के पाइपर प्लेन की एजेंसी ली और सब स्टेट गवर्नमेंट्स और गवर्नमेंट अडमिनिस्ट्रेशन से कहा कि उन्हें यह खरीदना है। उन्होंने ये प्लेन खरीदे और इन लोगों को कमीशन दिया।

जोइय प्लेन की भी उन्होंने एजेंसी ली। मेरे पास छ सात कम्पनियों की लिस्ट है। यू० एस० ए० का हार्वेस्टर है। ये सब विदेशी कम्पनियां हैं। अगर किसी ने 1, सफ़रदरज रोड पर पहुंचना है, तो वह बायां माहति जायेगा। वह इन लोगों को खुशे-भ्राम कमीशन देगा या घर जा कर देगा।

इस तरह से करोड़ों रुपये बटारे गये हैं ।
कुछ पैसा यहाँ रखा गया है और ज्यादातर
पैसा विदेशों में रखा गया है । क्या यह
मिसयूज आफ आफिस नहीं है ?

मेरे पास इस बात का सुबूत है कि पहले
प्लानिंग कमीशन ने कहा कि बोइंग प्लेन
ठीक नहीं है, हम दूसरा प्लेन लेंगे । लेकिन
अचानक सरकार ने कहा कि यही प्लेन
चाहिए । जब पैसा पहुँच गया, तो सरकार
का विचार भी बदल गया । एयरबस के
बारे में भी यही हुआ । इस व बारे में पहले
विचार भी नहीं किया गया । एक्सपर्ट्स
ने ट्राईस्टार प्लेन खरीदने के लिए कहा था ।
लेकिन अचानक सरकार ने अपनी राय
बदल दी और एयरबस खरीदे । जिन
सरकारों के ये प्लेन हैं, उन्होंने भी बड़ी
मुश्किल से इन्हें खरीदा है । एक्सपर्ट्स
का कहना है कि उन की एडवाइस के खिलाफ
यह काम हुआ है ।

जहाँ तक बसों की वाइड-मिडिंग का
प्रश्न है, भारत ने मध्य प्रदेश, हरियाणा,
उत्तर प्रदेश, दिल्ली और राजस्थान के लिए
ठेका लिया हुआ है । इन के पास किन्हीं
मशीनों हैं ? अगर यह फ़ाट नहीं है, तो और
क्या है ?

मैं गृह मंत्री से प्रार्थना करूँगा कि वह
इस सम्बन्ध में एक कमीशन से इस की पूरी
जाँच करवाये, ताकि आने वाली सन्तान
यह समझे कि सामाजिक तथा राजनैतिक
क्षेत्र में काम करने वालों को इस तरह की
गलत और भ्रष्ट कार्यवाहियाँ करने के लिए
कड़ी सजा देनी चाहिए, लेकिन उन को
मौका दे कर । मैं यह नहीं कहता कि उन को
मिसा में रखा जाय या उन को मौका न दिया
जाय । उन को पूरा मौका जनता पार्टी
की सरकार देगी और मौका देने के बाद अगर
वह कमीशन या कमेटी इस चीज को मान
ले कि यह गलतियाँ की हैं तो उन की

कड़ी सजा मिले ताकि आगे आने वाले
राजनीति में काम करने वाले उस को न
दोहराये । उन्हें मालूम होना चाहिए कि
हमारा भी वही भविष्य होगा जो सजय
जी का हुआ ।

अब मैं नागरवाला बेंस में आता हूँ ।

MR SPEAKER You must finish
quickly, in another five minutes be-
cause the second Resolution has to be
moved before we conclude

SHRI MADHU LIMAYE We will
sit longer We will sit up to 7 O'Clock

श्री कवर लाल गुप्त अभी तो सिर्फ
मारुति की कहानी कही है । अभी दो
कहानियाँ और बाकी हैं ।

MR SPEAKER Mr Gupta, you
should be short so that we can push
it through and finish The second
Resolution must have a place That
is why I am appealing to you (In-
terruptions)

श्री कवर लाल गुप्त अध्यक्ष महोदय,
नागरवाला के बेंस में 60 लाख रुपये
आया । क्या आज तक ऐसा कभी हुआ है
कि किसी बैंक ने 60 लाख रुपये टेलीफोन
पर दे दिया हो ? बैंक से रुपये मिलता है
चेक पर या ड्राफ्ट पर । लेकिन टेलीफोन
कोई कर दे कि 60 लाख रुपये की बगला देश
के लिए सीनेट फंड की जरूरत है और उस
के अन्दर प्राइवेट सेनेटरी प्राइम मिनिस्टर
का हों, फिर प्राइम मिनिस्टर हूँ और
फिर खजाने लेकर चला जाय, मैनेजर भी
नहीं, किसी से पूछे भी नहीं और वह ल कर
बत्त दे, माटर में जा कर उस की सीट दे,
क्या दुनिया के इतिहास में किसी बैंक ने
ऐसा हुआ है ? ऐसा नहीं नहीं हुआ है ।

दूसरी चीज महोदय साहब जो यह पैसा
सेकर गए थे आज वे मारुति लिमिटेड में काम
कर रहे हैं । आज भी मारुति में वे चीप

[श्री कवर लाल गुप्त]

एकाउण्टेंट हैं और मेरी नागरवाला ने भी जान हुई है जेल में। मुझे प्रिविनेज हुआ इस बात का कि नागरवाला से मेरी खुद डेट घण्टे बात हुई। उन्होंने यह कहा कि दो बार इन्दिरा जी से मिला हूँ उनहीं जिन्हें किया मेरे मामले कि मैं दो बार इन्दिरा जी से मिला हूँ। उसी समय से जब मेरी बात हुई तो मैं ने अखबारी से कहा और कुछ अखबारों में बात छपी भी है। उन की बात हुई। लेकिन जो बात समझ में नहीं आती है वह मैं आप के सामने रखना चाहता हूँ कि जो रणिया लिया गया वह किस एकाउण्टेंट से लेविट किया गया, यह एक बड़ा सवाल है। आप ने नागरवाला की सजा दे दी। एक कन्फेशन करवा लिया और कन्फेशन कराने के बाद सजा दे दी। क्या किसी भी क्रिमिनल कोर्ट में इस तरह का काम होता है कि वगैर एविडेंस लिये, वगैर गवाहों लिए इन्ने सीरियस केस में जिस में 60 लाख रुपये के एम्बरलमेन्ट का मामला हो, एक प्राइमरी कन्फेशन करने और उस पर हम की सजा दे कर के छोटी कर दें। ऐसा किसी कोर्ट में हिन्दुस्तान नहीं होता। मुझे भी थोड़ा बहुत मायूस है और आप से बहुत से क्रिमिनल सायर भी हमें वे जानते हैं। उस का एविडेंस होना चाहिए, उस का कारबोरेशन होना चाहिए। उस का वगैर सजा नहीं मिलती है। लेकिन नागरवाला की सजा दे दी गई और त्रिबुन तीन दिन के अन्दर वह केस हस अप किया गया। जो कन्फेशन लिया गया वह सबस्टान्स लिया गया और वह कन्फेशन क्या है यह किसी को पान तक नहीं पडा है। हम चाहते हैं कि वह कन्फेशन यह मन्त्री जी जनता के सामने रखें कि क्या कन्फेशन है?

CHAUDHURI CHARAN SINGH
Whatever papers are available will
be placed before the House

श्री कवर लाल गुप्त - नागरवाला की सजा हुई तो उसने अपने वकील को कहा

और वकील ने बयान दिया है कि मैं चाहता हूँ कि परीक्षा करूँ, इसमें बड़े बड़े लोग शामिल हैं उनके बारे में मैं बताना चाहता हूँ और परीक्षा करना चाहता हूँ। वकील ने अखबारों में यह जान बही और अखबारों में यह जान छपी भी। लेकिन जैसे ही वह जान छपी, उसने एक दो दिन के बाद नागरवाला की मृत्यु हो गई और जिसने तत्कालीन की भी, सिसिस्टे सुप्रिटेण्डेंट पुलिस थी कम्पन, वह भी खाम हो गया। इस तरह से सारी एविडेंस हा ही खत्म कर दिया गया। वह खाम हुई नहीं वकि खाम कर दी गई। मैं पूछना चाहता हूँ क्या उसने कहा था? महोदय साहब ने कहा था, जैसे ही आचार भाई प्रधान मन्त्री को, कि माताजी मैं अभी पैके लाता हूँ। यहाँ पर इनने अक्षर बँडे हैं, मैं जानना चाहता हूँ, क्या कोई अफसर प्राइम मिनिस्टर से इस तरह से बात करते? हफारे डिप्लेट भाई चौक मिनिस्टर रह चुके हैं, हमारे रणुरामैया साहब मिनिस्टर रह चुके हैं क्या कभी उनके साथ किसी अफसर ने इस तरह से बात की है? क्या किसी अफसर ने कभी भाई साहब कहा है या कभी किसी न माता जी कहा है? क्या कोई बैंक का कर्मचारी प्राइम मिनिस्टर को माताजी कहकर पुत्रिम करेगा?

श्री मधु लिमये - मैनेजर की क्या उम्र थी?

श्री कवर लाल गुप्त - मैनेजर की उम्र इन्दिरा जी की उम्र से ज्यादा थी। तो मैं जानूँगा कि गृह मन्त्री जो इन्कवायरी करें। मेरे पास इन्कवायेशन नहीं आई है क्योंकि समय थोड़ा था लेकिन मैंने सुना है कि चुनाव के नज्दीकी जिस दिन आपने उसी दिन स्टेट बैंक आफ इण्डिया, नई दिल्ली से करीब सौ करोड़ रुपये निकाला गया। इसकी इन्कवायरी होनी चाहिए कि क्या यह बात सही है। इस तरह की प्रैक्टिस वहाँ पर थी। वहाँ रखा जाता था, वगैर एकाउण्टेंट के

रखा जाता था या जिस एकाउण्ट में रखा जाता था। इसकी इन्वॉयसी सरकार को करवानी चाहिए।

इस सम्बन्ध में मुझे कहना है कि नागरवाला जब पत्र दे गए तो एक दो दिन में उन्होंने तीन मजिस्ट्रेटों के सामने पेश किया गया। पहले एक के पास, पेश हुए, फिर दूसरे के पास पेश हुए और फिर तीसरे के पास पेश किए गए। इसलिए मैं समझता हूँ सारा काण्ड मिस्ट्रीयस है। मिस्ट्री से भरा हुआ है, उसने ऊपर से पर्दा खुलना चाहिए। जिस दिन बैंक से पैसा निकाला गया उस दिन की बुद्धि को और प्रपत्तियों को एग्जामिन किया जाना चाहिए।

अध्यक्ष महोदय, नागरवाला ने गड़ बड़ी की, उसको जो सजा मिली वह इस बात पर मिली कि उसने अपना इन्वेन्चिलमेंट किया लेकिन वह अपना किस एकाउण्ट में था, नागरवाला की बैकग्राउण्ड क्या है, इन्दिरा जी और सज्ज से कोई सम्बन्ध है या नहीं, मन्मोहा साहब ने सम्बन्ध है या नहीं—इसके बारे में कोर्ट में कुछ नहीं कहा गया। इसकी इन्वॉयसी होनी चाहिए। मैंने पुलिस अफसरों से भी बातचीत की है, उन्होंने भी कहा कि हमने इससे बारे में इन्वॉयसी नहीं की है। क्या वह पर पहले भी अपना इस तरह से आता जाता रहा है, यह अपना किस नाम से रख रहा था या फिर कोई नाम के द्वारा जाता था? इस सब बातों की इन्वॉयसी होनी चाहिए। इन बातों की इन्वॉयसी नहीं होगी तो जो नेशनलाइज्ड बैंक हैं उनका मिसयूज होता रहेगा। उनका मिसयूज न हो, इसके लिए इन्वॉयसी होना जरूरी है।

अध्यक्ष महोदय, सन्तान कमेटी ने कहा है—अगर दस लेजिस्लेटर्स किसी के खिलाफ वह दें, करप्शन के चार्ज लगा दें तो उस की

इन्वॉयसी होनी चाहिए। एडमिनिस्ट्रेटिव रिफॉर्म कमिशन न भी कहा है कि लोकपाल और लोक प्रामुख की नियुक्ति होगी, लेकिन वही साल का किस ऐसा है जहां 123 पार्लियामेंट के मेम्बरों ने कहा, जहां हरियाणा के कई विधायकों ने कहा, हरियाणा के स्पीकर ने कहा, इस सदन में कहा गया राज्य सभा में कहा गया, हरियाणा असेम्बली में कहा गया, बाहर कहा गया, जितने विरोधी पक्ष थे, तभी पोलिटिकल पार्टियों ने प्रस्ताव पार किया—लेकिन वह सरकार उससे-मस्त नहीं हुई। क्यों? इस लिये कि उस न डेटे का घोषणाईया किया था, उस के खिलाफ इन्वॉयसी कैसे हो सकती थी। उस ने सज्ज की घोषणाईया किया था, अंधर घेरे के साथ प्यार होता ही है, घेरे के प्यार के साथ या भी घोषणाईया की, इस लिये कुछ नहीं हुआ, खुली छूट दी गई कि कुछ भी करो।

अध्यक्ष महोदय, मेरे पास तपशील है, जिस में पूरी डिटेल् दी गई है कि किस तरह से इन्वेस्टिगेशन बोर्ड का पैसा, करोड़ों रुपया वसी साल और उन के साथिया न खाया। इस में सिर्फ डिटेल् ही नहीं है, बल्कि डेटाइज्ड ट्रांजेक्शन्स और जितना एमाउण्ट इन्वॉल्ड है—उन सब का जित्त है। मुझे इस की टेबिल पर रखने की आज्ञा दे दीजिये ताकि सब को गानकारी हो सके। इस में करीब 50 बैंकेज हैं। अगर आप आज्ञा दें तो इस की टेबिल पर रख दूँ।

MR SPEAKER Why do you want to place that on the Table? You are already mentioning that point

SHRI KANWARLAL GUPTA Sir, it will take at least one hour to read out these papers. These will give each and every detail. To save time, may I request you kindly to allow me to place. [Placed in Library See No LT-111/77] it on the Table of the House?

MR SPEAKER All right But you have already taken enough time Please conclude There are other Members who want to speak.

SHRI KANWAR LAL GUPTA 1
will finish my speech within five minutes

अध्यक्ष महोदय मैं बतना रहा था कि बना खान न हरियाणा के हर एक बापसो एम० एल० ए० को तनख्वाह क घलावा दो डाइ ह्वार रुपये महीने की इन्तम बघवा रखी थी। हर एच एच विवे वार का इन्तजाम किया हुआ था हर एच एम० एल० ए० उन को पावेड मे था कोई उन के पिनाक बोल नहीं सकता था। किसी को किसी चीज का बेपरमैन बना दिया किसी को कारपारेटन का बेपरमैन बना दिया, इस तरह स सा रे एम० एच० ए० को खरीद कर, जो कांग्रेस पार्टी के थे, उन को अपनी जेब मे रखा हुआ था। यहाँ तक कि पब्लिक मीटिंग के अन्दर जो एम० एच० ए० डिस्केर का के झाडे मे, थोडोडीशन से कांग्रेस मे जाने थे, उन को 25 हजार रैग माग की माला पहनाई जाती थी। मैं हरियाणा का रहने वाला हूँ, मुझे मालूम है वहाँ पर पब्लिक मीटिंग मे, 5-10 हजार भादमियों के बीच मे 20-25 हजार के रैग नोटो की माला उन के गले मे डाली गई।

मैं थप ब्यादा बहना नहीं चाहता हूँ—
मैं भव नेवल जस्टिस दास को बोट करवा चाहता हूँ — जस्टिस दास ने कहा था —

"In the Karon case, Justice Das had observed that three Chief Ministers of the Punjab Government were showing undue and illegal favour to Chief Minister's son obviously to oblige the son and to please the father"

अध्यक्ष महोदय, जो बात जस्टिस दास ने कैरो के बंस मे लिखी है, वही बात इन्दिण की भीर सजय गांधी के साथ लागू होती है।

मरा बहना यह है कि—भाज ता कांग्रेस के नेता भी इस बात की माग कर रहे हैं कि बसो खान को निकाला जाना चाहिये, मैं समझता हूँ भाज मे से भी बहुत से लाग उम माग पर दम्तखन करन वाले हैं—मेरी माग है कि होम मिनिस्टर साहब इस की पूरी एक्वायरी करायें, यहाँ तो मैने प्रधुरी चीज रखी है, वे सा रे तथ्य उम कमेने या कमीशन के सामने आयें। इस मे दर नहीं लगनी चाहिये। अगर भाज एक कमीशन बेंडना चाहें ता एच बेंडाय अन्वया ये तीन स्केडन्ड हैं इस लिये भनग भनग तीन कमीशन बेंडायें। लेकिन देश का राबनीतिव जीवन और सामाजिक जीवन पवित्र होना चाहिये। भागे से ठीक तरह स प्रजातन्त्र बन उम के लिये ब्रावमन्त है कि भ्रष्टाचार समाप्त होना चाहिये, उस का जड से उन्मूलन होना चाहिये।

हमारे चौधरी चरण सिंह जो गृह मंत्री हैं इस वान मे बहुत प्रसिद्ध हैं कि भ्रष्टाचार समाज मे न पनने और ऐसा मैं मानता हूँ कि वे इस की इस्त्राफरी करेंगे।

MR SPEAKER Motion moved

"This House calls upon the Government to immediately appoint a high powered Committee consisting of some Members of Parliament Judges and eminent public men to go into the question of joint deliberate conspiracy by the erstwhile Government of India, Maruti Ltd and its allied concerns and Shri Bansal Lal (former Chief Minister of Haryana and former Defence Minister of India) against the country and the people such as Maruti and Nagarwala Scandals and numerous illegalities committed by Shri Bansal Lal and submit the report to the Government within three months"

Now there are two amendments given by Shri Hukmdeo Narain Yadav Are you moving?

SHRI HUKMDEO NARAIN YADAV (Madhubani): I beg to move

That in the resolution,—
add at the end—

“and the Committee be empowered to recommend action against the guilty persons and the Government should implement the recommendations” (1)

SHRI MADHU LIMAYE I beg to move

That in the resolution,—

for “the erstwhile Government of India” substitute—

“former Prime Minister Shramati Indira Gandhi” (2)

SHRI SAMAR GUHA What about my amendment?

MR SPEAKER I do not have any other amendment

SHRI SAMAR GUHA I have given an amendment before 10 o'clock

MR SPEAKER I am trying to locate it I will allow you to move

श्री मधु लिमये : अध्यक्ष महोदय, इस में जो शब्द “अस्टैंडवाइल गवर्नमेंट आफ इण्डिया” लिखे हैं और जिन पर श्री उनीवृष्णन एतराज कर रहे हैं, उन के लिए मैं ने अपना सशोधन दिया है और यह कहा है कि “अस्टैंडवाइल गवर्नमेंट आफ इण्डिया” की जगह पर “फॉर्मर प्राइम मिनिस्टर श्रीमती इन्दिरा गांधी भूतपूर्व प्रधान मंत्री, जोड़ दिये जाए। यह ठीक भी है और हमारी प्रोसीडिंग में अगर इस तरह का रेज्यूलूशन होगा, तो अच्छा होगा।

श्री बसन्त सठि (मधोला) : अध्यक्ष जी, श्री कवर लाल गुप्त जी ने जो यह प्रस्ताव यहां रखा है, उस पर इतना ही मुझे कहना है, क्योंकि आप ने उस के लिए सम्मति दे दी है, कि पहले रूल 173 को आप देख लीजिए।

मेरे ख्याल से ज्यादा लोग उधर के बैठने वाले हिन्दी समझते हैं, इसलिए मैं हिन्दी में बोलूंगा लेकिन इस रूल को मैं अंग्रेजी में पढ़ देता हूँ।

Rule 173 says

Conditions of admissibility of resolution

(i) it shall be clearly and precisely expressed,

(ii) it shall raise substantially one definite issue, And then, later on, (iv) says

(iv) it shall not refer to the conduct or character of persons except in their official or public capacity, And (v) says

(v) it shall not relate to any matter which is subject to adjudication I specifically want to invite your kind attention to these things because unfortunately this resolution, as we see it is an omnibus resolution I am not imputing motives to my friend Although you Sir in your wisdom gave your consent to it, this resolution violates all the 3 conditions required to be satisfied. It is not that one or the other has to be satisfied Each one of them needs to be satisfied Take the condition, viz ‘it shall raise substantially one definite issue’ This resolution does not do so I will tell you how What is the issue raised?

MR. SPEAKER Are you raising an issue, or replying to him? Half the discussion is over

SHRI VASANT SATHE I am pointing these out and opposing the resolution, so that when it comes to vote, I would like to satisfy this House that such a resolution cannot be accepted

MR. SPEAKER There is a point of order raised

SHRI SONU SINGH PATHI (Etahdol): The Member is trying to repeat

[Shri Sonu Singh Patel]

the point advanced by Mr Unnikrishnan. The ruling has already been given

SHRI VASANT SATHE I am pointing out to the Members that this resolution in the form in which it is does not deserve to be passed. You will ultimately put it to vote. It does not deserve to be passed and I am giving the reasons for it based on a salutary principle. There is a principle behind it. The principle is that we stick to one subject.

अभ्यन्त जो मैं यह कह रहा था कि कवर लाल जो न यह जा प्रस्ताव यहाँ रखा है इसमें मांग की जा रही है कि इसके पहले की सरकार गवर्नमेंट इंडिया की जो इन्होंने अडॉप्ट कर ली है वह जब मज़ूर होगी तब होगी—के कारोबार मास्किंग लिमिटेड—जो कि गवर्नमेंट द्वारा इंडिया का भाग नहीं है—के कारोबार, और जो एक स्टेट गवर्नमेंट व चीफ मिनिस्टर रह चुके हैं उनके कारोबार की जांच की जाए। यह सीना भीजें उन्हें एक साथ रख दी है और उसके साथ साथ नागरवाला स्केम का को दिवादा करने की मांग भी कर डाली है। मैं निवेदन करना चाहता हूँ कि साहूज जा इबादरी कमेटी बनेगी वह क्या उन सबको एक साथ देख सकती है ?

जो कवर लाल गुप्त अलग अलग कर दें।

जो घसत साठे जा हाँम चाहते हैं कि अब अलग भा।

Nobody in his senses would ever say that justice should not be done. If a matter needs to be enquired into an enquiry should be held. I am not on that point. I am saying that in the form you are asking for an enquiry instead of leading to justice it will lead to injustice because it will be an omnibus enquiry into all conceivable matters. If it is an omnibus enquiry into the deeds of the previous Government how long do we go?

Are we going only up to Nagarwala? Why not beyond that? Why not go into the bad deeds of the Government for all these 30 years? Why not the Janata Government have an omnibus enquiry into all the matters of corruption alleged or otherwise since independence? That will include enquiries into allegations against members like Shri Biju Patnaik, enquiries into the allegations made by my hon. friend Shri Madhu Lamaye against the son of Shri Morarji Desai. That will bring in everything. Why exclude anybody? If you include everything then justice will be done. For instance enquiries have been held and reports have come against Shri Prakash Singh Badal. That will also be covered by that enquiry. Therefore those who seek justice must go with clean hands. That is the principle of jurisprudence.

I do not think anybody will have any grudge against an enquiry. Let us have an enquiry, an omnibus enquiry. I will support that. But it should not relate only to the last ten years, it should relate to the last 30 years. As one Member stated the other day now a new chapter has started according to him when a second Republic is born, one Republic of 30 years has gone. They have brought about the death of that Republic. India is now born into a new Republic, a Janata Republic. Very good. Now let us enquire into the commissions and omissions, a complete post mortem, a complete heart-searching and punish everyone who is guilty from the time of independence if they are alive. If they are dead well we can have the consolation that God has punished them, we cannot help it. But in the case of those who are alive let everyone be punished if found guilty. Let no one be spared. Otherwise you are liable to the charge of being vindictive. If you say that you are going to begin only from the day the Indira Gandhi Government took over then that will be open to the charge of vindictiveness against a few persons. You are only exposing yourself by that.

Therefore if Shri Kanwar Lal Gupta wants justice if he is really sincere and impartial about it I would beg of him to amend this Resolution to say that you will have a total omnibus enquiry into all matters I do not mind even if it is a parliamentary enquiry though it may take a longer time if you want it so

श्री मधू तिमये अथ एव नया प्रस्ताव
ने आए ।

SHRI VASANT SATHE As was pointed out in the case of Maruti so many persons have been given agencies and one of them was even thrown into jail under MISA Now everybody is free and they have opportunities of filing private suits for recovery

Here what are they asking for? If there is a judicial enquiry, an impartial person will preside and there is a procedure for conducting it Here he wants Members of Parliament to be included If Members of Parliament are included it cannot be a judicial enquiry strictly Then he wants eminent public men also to be included Thereby we will have a committee which will be neither judicial nor quasi-judicial What kind of committee will that be? will it inspire confidence?

Secondly it will be a fishing enquiry because you are bringing here every thing under the sun as it were You are not specific confining yourself to a particular subject I can understand if he had said that there should be an enquiry into the affairs of Maruti Limited and that there should be a report within three months That is understandable but this raises a doubt because you are asking for a fishing enquiry Kindly see the wording It says

" Maruti and Nagarwala Scandals and numerous illegalities committed by Shri Bansi Lal "

Where will it lead to? Therefore I submit without imputing any motives to my hon friend, Shri Kanwar Lal Gupta that the resolution is not proper for two reasons namely that it is

not specific and that it does not talk of a judicial enquiry but a fishing enquiry which will politicalise it The moment you politicalise it it will lose all its significance, it will only lead to a vindictive attitude of victimisation Therefore I submit that this resolution is not proper This resolution is not intended to do justice or bring people to justice but is only a political resolution which betrays the intention or motive of victimisation This is the impression that will be created

On the one hand you do not want to bring in all those who were before here in the Government, on the other hand it is not confined to a specific subject So the intention does not appear to be to get justice or bring to book the wrong doers, but to have a fishing enquiry in the same spirit or pattern which was betrayed of character assassination That will be the impression created by this resolution.

If you want justice, the resolution must be of a different type We oppose this resolution the spirit behind it and the contents in it and the form in which it is given

AN HON MEMBER You are a very good advocate of corruption

श्री मधू तिमये • अध्यक्ष महोदय मैंने श्री साठे जी का भाषण ध्यान से सुना । मेरी राय में उसका पहला भा हिम्मा था वह बिलकुल बेमतलब था क्योंकि जब अध्यक्ष महोदय के द्वारा प्रश्निया के बारे में निर्णय दिया जा चुका है तो उसके बाद उसकी सम्बन्ध में कुछ कहना बहुत ही अनावश्यक और गैर-मुनासिब भी है ।

एक बात से मैं सहमत हो सकता हू कि जो भी जाच हो, न्यायिक और निष्पक्ष जाच हो और किसी भी व्यक्ति विरोध की भावना से वह प्रेरित न हो यह मैं मानता हू । लेकिन साथ ही साथ मुझे यह सुनकर बड़ा अचरज हो रहा है कि जिन व्यक्तियों ने आप लोग को प्रतिपक्ष में बैठा दिया, उन व्यक्तियों

[श्री मधु लिमये]

क बारे में आपका मोह अभी भी नहीं टूट रहा है मरी समय में यह नहीं था रहा है। आप व्यक्ति पूजा करते रहे मैं आपको दावी ठहराना है आप लोगों ने इन्दिरा जी का पर्सनल कन्टैक्ट इस देश में स्थापित करने का प्रयास किया 1971 में गरावी हटाओ के नाम पर जनता का आपने ठगना और जैसे ही 5 साल पूरे होन लगे और आपको ऐसा लगा कि जब बोट दिया जायेगा लाजम्भा के चुनाव के लिये तो आप बुरी तरह हारण ता आपने इस सबटवान की घोषणा कर के अपनी जान को बचाने का प्रयास किया।

श्री बसन्त साठे सक्कावाल के दौरान

श्री मधु लिमये माठ जी मैं आपका मापण घाटि से सुन रहा था अगर आपकी बोलना है तो मैं बैठ जाना हूँ आप बोल लीजिये मैं फिर बोना।

श्री बसन्त साठे आप व्यक्ति पूजा की बात करत हैं जिनका व्यक्ति पूजा भान अड्डेय ज्योतिष डा० राम मनोहर लोहिया का करत हैं उनकी हम इन्दिरा जी की नहीं करत हैं।

श्री मधु लिमये आप डा० राम मनोहर लोहिया और इन्दिरा जी की तुलना कर रहे हैं।

श्री बसन्त साठे आरे में इतना कह बहुत बड़बुद बड़े हा सक्का हैं।

श्री मधु लिमये राम मनोहर लोहिया की तुलना इन्दिरा जी से कर रहे थे ..

MR SPEAKER Mr Madhu Limaye one minute We can avoid this trouble. If he begins to address you and you begin to address him then it cannot be avoided You address the Chair You are not going through the Chair at all. If you want to avoid this party or that

party, why don't you do it so that I can take the blame of both of you.

श्री मधु लिमये अध्यक्ष महोदय, मैं इसलिये बैठ था कि मुझे लगा कि श्री बसन्त राव साठे कोई बड़िया मूढ़ा सदन के सामने खड़े रहे हैं। अछा विवाद हो, इस दृष्टि से मैं बैठ गया।

अध्यक्ष महोदय, मुझे लगता है कि इन लोगों का मोह उन व्यक्तियों के बारे में अभी भी नहीं टूटा है और एक नया पडन्त अभी से शुरू हो गया है कि उस व्यक्ति को और उस परिवार को कैसे जल्द से जल्द वापिस लाया जाये। जहाँ व्यक्ति विद्रोह नहीं होना चाहिये, वहाँ जिन लोगों ने इस देश में साथ गद्गारी की, 60 करोड़ लोगों को तकलीफ दी, पीटा दी उन व्यक्तियों के बारे में क्या हम इतना भी नहीं कह सकते हैं कि 'माय क घाघार पर उनको सजा मिलनी चाहिये'?

मैं आपकी माफत काफ़ी दल के सदस्यों से कहना चाहता हूँ कि भूना और विसरो की आप बात करत हैं, मैं बहाना कुछ भूलन और विसरन के लिये तैयार हूँ लेकिन कुछ बातें ऐसी हैं अध्यक्ष महोदय, मैं आपसे पूछना कि क्या उनको भूला जा सकता है? हम लोगी का बिना कसूर, बिना घबराह भूतपूर्व प्रधान मंत्री ने जेल में डाल दिया। इस का मैं भूल सकता हूँ माफ़ भी कर सकता हूँ क्योंकि 18 साल की उम्र में हम ने यही घड़ा किया है, अन्यथा के खिलाफ लड़त रहत हम जेल में जाने ही रहे हैं। मुझे वह तकलीफ नहीं है। लेकिन हमारे प्रधान मंत्री जिन की उम्र उन समय 80 साल थी हमारे कुछ मंत्री जो खा लाख विसर्तों के नेता हैं जिन की उम्र 74 साल थी और लोक नायक जयप्रकाश नारायण जिन की उम्र 72 साल थी उनका इन्दिरा गांधी ने जेल दिया, क्या हम को कभी भूला जा सकता है? मेरे मित्र जार्ज फ़र्नेंडीज की धार में हत्यारों लगाई शरीरों का बाधा उन के भाइयों की धार में टाँचेर किया। फिर भी मैं भुनान और

विसराने के लिए तैयार हूँ। लेकिन हमारे बुजुर्ग नेताओं की जो तोहीन की गई, क्या उस को भुलाया जा सकता है ?

17 00 hrs

जब मैं अपने क्षेत्र में पहुँचा तो पहली बड़ी सभा 24 फरवरी को मुंबई जिले में साक्षा क्षेत्र में हुई। वाराणसी पंचायत के निवासी, रामेश्वर रविदास ने, जो चमार जाति का हरिजन था, मुझे ठोका और एक आवेदन-पत्र दिया, जिस में उस ने कहा कि उस के 14 साल के लड़के को आसनसोल स्टेशन पर पकड़ा गया और उस की गया रेलवे अस्पताल में ले जा कर उस पर जबरन नवबन्दी आपरेशन किया गया। इसी प्रकार साक्षा क्षेत्र के धुलडिह ग्राम के 12 साल के लड़के, ब्रह्मदेव पातवान, और बाबा क्षेत्र के 15 साल के लड़के, लाल मोहन हरिजन, का भी नवबन्दी आपरेशन किया गया। लोग कह रहे हैं कि भूलो और विसराने के लिए तैयार हैं, मगर इस तरह की जो बातें हुई हैं, उन को भूलना नहीं जा सकता है।

इस प्रस्ताव की शब्दावली के बारे में मुझे कुछ नहीं कहना है। इस से बढ़िया प्रस्ताव भी बन सकता है। मुझे ऐसा लगता है अगर इस में भारत सरकार के पड़मंत्र का उल्लेख न होता, तो बेहतर होता। इसी लिए मैं ने "भूतपूर्व प्रधान मंत्री, श्रीमती इन्दिरा गांधी" शब्द जोड़े हैं।

मेरे मित्र, श्री बबर लाल गुप्त, ने इस बहस को इस लिए उठाया है कि वह देश का ध्यान इस बात की ओर दिलाता चाहते हैं कि विगत सात आठ वर्षों में हमारे देश में एक व्यक्ति का शासन कायम हो गया, एक व्यक्ति के हाथ में सारी सत्ता इकट्ठा होने लगी, जिस के दुरुपरिणाम हम लोग और आप लोग को ता भुगवने ही पहले लेकिन अब से सख्तीफ की बात यह है कि हम दंग और उस की गाठ बरोड़ जनता को भी भुगाने पड़े। मेरी राय यह है कि इस प्रस्ताव के बारे में गृह मंत्री

तो अपनी बात कहेंगे ही, लेकिन हम में से जिन लोगों के पास ठोस तथ्य हैं, वे सभी प्रधान मंत्री जी और गृह मंत्री जी के सामने आवेदन-पत्रों के द्वारा उन ठोस तथ्यों को रखें। प्रधान मंत्री जी और गृह मंत्री जी को उस पर विचार करने का मौका मिले और प्राथमिक जांच होने के बाद सरकार कमीशन की नियुक्ति के बारे में फैसला करे।

इस विषय में सम्बन्धित कुछ बातें मैं आप के सामने रखना चाहता हूँ। सकट-काल से पहले इस सदन के तत्कालीन अध्यक्ष, श्री मुरदयान सिंह डिल्ला के काम को मैं ने दो साल तक देखा और मेरे मन पर यह असर हुआ कि जब अभी मैं जनरल में मासिक और श्रीमती इन्दिरा गांधी द्वारा सत्ता के दुरुपयोग के विषय में कोई प्रश्न उठाता या तो उन के द्वारा उस में भड़का लगाया जाता था। और इसलिए मैं ने अविश्वास का प्रस्ताव यहाँ दिया था। मैं न वह डिवेद मगवायी है, अभी तक क्या नहीं भाई, मरी समझ में नहीं आ रहा है। यह प्रस्ताव अगर मैं इस बहन पढ़ कर मुनाऊंगा तो आप को पता चलेगा कि केवल सकट काल के दौरान ये बातें नहीं हुई हैं। 1969 के बाद धीरे धीरे अधिनायकवाद की ओर देश चला जा रहा था। मैं आज यह बात कह रहा हूँ ऐसी बात नहीं है। यह मेरी मुक्ति है। यह एमर्जेंसी के पहले की लिपी हुई है और दीन दयाल शोध संस्थान में जो परिसंवाद हुआ था, जिस की अध्यक्षता स्वर्गीय गुलाराव जी ने की थी जिसमें और बहुत सारे बड़े बड़े अधिवक्ता और न्याय के जानकार, न्यायविद सब आए थे, उन के सामने मैंने यह कहा था। मैं इसलिए उद्भूत करता हूँ कि इस प्रस्ताव का आधार यह है। इस में संघ में ज्यादा आपत्ति मैं ने इस बात पर उठाई थी कि पहली बार प्रधान मंत्री ने प्रधान मंत्री के सचिवनाम नाम की गरया का इस इस से दस्तखत किया है कि संसदीय साधन के जो आधार होत हैं वे गारे खम हो गए।

[श्री मधु सिमये]

काई भी निजिय विभागीय मंत्री अपने दायरे के अन्दर अपनी मर्यादा के अन्दर रह कर भी नहीं ले सकता था। सारी फाइलें प्रधान मंत्री के सेक्रेटरिएट को जाती थीं। सारे जामूसी विभाग जो पहले नई मन्त्रालय ने साथ जुड़े हुए थे वे सारे विभाग प्रधान मंत्री के मानहून आ गए—इंटेलिजेंस ब्यूरो, सी बी आई जो पहिले गृह मंत्री के साथ जुड़े हुए थे वे इन्दिरा जी के साथ आ गए। रेवन्यू इंटेलिजेंस और डायरेक्टोरेट आफ इन्फोर्मेशन आग तो जानते हैं अविश्वास का प्रस्ताव मैं न इसी पर रखा था, मैं ने इसी सदन में इसी प्रश्न को लेकर श्रीमती इंदिरा गांधी व खिलाफ अविश्वास का प्रस्ताव रखा था कि एन्फोर्समेंट डायरेक्टोरेट और रेवन्यू इंटेलिजेंस जैसे विभाग जब मोरार जी भाई वित्त मंत्री थे, कृष्णमचारी वित्त मंत्री थे तो उन के साथ थे, वे भी प्रधान मंत्री व सहित आ गए। इसी तरह काउंटर इंटेलिजेंस जिन को कहा जाता है या रा, काफी बदनाम नाम हो गया है, इसका भी इस्तेमाल रूत किया गया? आप को तात्पर्य होगा कि विगत कुछ ही वर्षों में इन दमन के हथियार का इस्तेमाल बड़ पैमाने पर विस्तार किया गया है, मैं सारे आकड़े गृह मन्त्रालय की भाग पर जब चर्चा होगी तब देने वाला हूँ। इनका बड़ा विस्तार किया गया, इतने नये लोगों को उस के साथ जोड़ा गया कि जो अधिकारी, जो मरु, चणनूत और खुशामदखोर से जूझी साग को इन में भर्ती किया गया विरोध पक्ष के नेताओं को ब्लैकमेल करने के लिए भी झूठी रफ्त तैयार करने का काम प्रधान मंत्री के सचिवालय में और दल आगूरी, विभागा में होता था। यह हम की कृष्णभूमि है।

मार्नि लिमिटेड का सवाल कई बार हम साग ने उठाया है। मैं आज नई जानकारी देना चाहता हूँ। सदन के वादविवाद की जो पुस्तकें हैं उन में स गारी बातें हैं, उन को मैं दोहराना नहीं चाहता हूँ। यहां 1973-74

और 75 में जब मैं आया तो मैं ने कई बार यह सवाल उठाया कि मार्नि कार प्रोजेक्ट के लिए यह कहा गया था कि कोई विदेशी मुद्रा नहीं दी जायगी और यह 100 प्रतिशत स्वदेशी बार होगी। यह भी कहा गया कि यह जनता कार होगी। जनता शब्द का प्रयोग तो हास्यास्पद ही है। जिस देश के करोड़ लोगो को मामूली साइकिल भी नमीव नहीं है उस देश के अन्दर जनता का की जान करना तो बहुत ही हास्यास्पद बात है। लेकिन फिर भी यह बात चली थी। जैसे जर्मनी में बोक्स बैगन है ऐसे ही हमारे महा यह मार्नि कार है। इस के लिए आयातिन मशीनरी दी गई है यह मुझे खबर मिली है। क्या इन्होंने तरीका अपनाया कि हम लोग पूर्वी जर्मनी, जेकोनीनाकिया, पोलैंड आदि पूर्वी यूरोपीय देश से वकशाप मशीनरी के नाम पर, स्टाक एंड सेल्स के नाम पर काफी पाच छ सी करोड़ रुपये की, मशीनरी भगाते थे। और इन्होंने क्या किया? चुपके से मार्नि लिमिटेड के लिए जो मशीनरी चाहिए उसके स्पेसिफिकेशन दे दिये गए और उभ तरह की मशीनरी भगवाई गई। इसने बा रे में मैंने जब प्रश्न किया तो कई दफा तो स्वीकार साहब ने इस प्रश्न को दवाने का प्रयास किया। मार्नि के बा रे में मैं ने जा प्रश्न पूछे हैं उनसे उत्तर अभी आने बाकी है। आप ऐसा मन समझिए कि मैं इसकी छोड़ने वाला हूँ। मैं ने एक बार अगर कोई सवाल उठाया तो उनका पूरा पीछा करूँगा। लेकिन मुद्रा यह है कि जिन लोगो ने इस प्रश्न का जवाब देने के लिए जानकारी इकट्ठा करने का प्रयास किया उनके बा रे में प्रधान मंत्री ने उद्योग मंत्री को बुलाया और कहा कि यह क्या कर रहे हैं? आप मार्नि के बा रे में जानकारी इकट्ठा कर रहे हैं? इस पर उद्योग मंत्री ने कहा पार्लमन्ट में सवाल स्वीकार किया गया है मुने जवाब देना है तो कुछ जानकारी चाहिए ही।

एक माननीय सदस्य कौन से उद्योग मंत्री ?

श्री मधु सिमये इंडस्ट्रियल डेवलपमेन्ट
मिनिस्टर कौन थे, आप भी जानते हैं इसलिए
नाम में मत जाइये ।

एक माननीय सदस्य दिनेश सिंह ?

श्री मधु सिमये दिनेश सिंह नहीं, श्री
टी० ए० पाई जो इस समय मौजूद नहीं हैं ।
उनकी जानकारी में जिन अपसरों ने जानकारी
हासिल करने का प्रयास किया उनके खिलाफ
प्रधान मंत्री ने सी० बी० आई० को छापे का आदेश
दे दिया । मैं एच प्रिविलेज का सवाल भी उठाने
वाला हूँ क्योंकि पार्लमेन्ट की जानकारी देते
के लिए जो जाच मंत्रिया द्वारा की जाती है
उसके लिए अगर सी० बी० आई० की रेड्स
हानी तो क्या पार्लमेन्ट चलेगी ? क्या इस तरह
से पार्लमेन्ट की गरिमा रहेगी ? उन अपसरों
में से एक ने त्याग-पत्र दे दिया और एच न
खुदकशी की है ।

इस सदन में मैंने कई बार जगोटा ब्रदर्स
का काण्ड उठाया तो स्पीकर साहब ने कहा
कि मुझे बड़ी तकलीफ हो रही है, क्या आप
प्रधान मंत्री पर बार बार हमला करेंगे ।
मैंने कभी कोई व्यक्तिगत हमला नहीं किया ।
अगर किसी ने किया तो उसको मैंने रोका है
कि औरत के बारे में अश्लील बात नहीं कहनी
चाहिए । लेकिन प्रधान मंत्री के नाते उनके
जो सार्वजनिक कार्य हैं उनसे बारे में अगर
नियमाग्र अधीन रह कर मैं सवाल
पूछता हूँ तो स्पीकर साहब मुझ को कहते हैं
कि प्रधान मंत्री पर बारबार हमला करेंगे
तो मैं आपको संरक्षण नहीं दे सकता हूँ ।
अध्यक्ष महोदय, आप भी दो साल इस सदन में
अध्यक्ष रह चुके हैं क्या किसी स्पीकर को
यह बात शोभा देती है ? उसी दिन मैं समझ
गया था कि लोउतल मर रहा है और स्पीकर
के खिलाफ मैं अविश्वास प्रस्ताव लाया ।
आप पढ़ें उसमें मेरे क्या आरोप हैं । सच में
सार्वजनिक हित में अष्टाचार के विरोध में

वहस को होने नहीं देते हैं और स्पीकर साहब
सरकारी पार्टी से मिल कर काम करते हैं—
यह मेरे आरोप थे ।

आप एक और नया मामला लीजिए ।
मारुति को इजाजत मिली, मैन (एम० ए० एन०)
नाम की जर्मन कम्पनी है उसके साथ कोलंब-
रेशन एग्जिमट किया और रिजर्व बैंक के विरोध
के बावजूद 30 लाख की विदेशी मुद्रा उसको
दी गई । इसी तरह से इन्टर्नेशनल हार्वेस्ट
के पाइपर एम्बरकापट का मामला है ।
ओद्योगिक मंत्रालय का सर्कुलर या विभिन्न
उद्योगों को कि उन्हें अपनी पैदावार बढ़ाने
का, विस्तार करने का अधिकार दिया
जायेगा । इसी नियम के तहत, उस सर्कुलर
के तहत मारुति को भी दिया गया, लेकिन
वह नहीं पूछा गया कि मारुति की कोई पैदावार
भी है या नहीं । जिस कम्पनी की पैदावार
बहुत अधिक है, जो पैदावार बढ़ाने का काम
कर रही है, उस यूनिट को आप देते हैं
तो वह राष्ट्रीय हित में है—ऐसा आप कह
सकते हैं । लेकिन जिस कम्पनी की कोई
पैदावार नहीं है, उस को केवल उसकी इस्टाब्लिश-
मेंट की का मूल्य लेकर, 50 हजार गाडियो
का जो मूल्य होगा, उसमें कुछ अनुपात में
या उस आधार पर इन को रोड-रोलर्स
और वाहन-बाड़ी विरिडिंग की इजाजत दी गई ।
उसके लिए विभिन्न राज्यों के पी० डब्लू० डी०
और ट्रांसपोर्ट विभागों पर दबाव डाला गया ।
आप बतलाइये—इसकी जाच होनी चाहिये
या नहीं ?

भूतपूर्व प्रधान मंत्री, जब हम लोग जेलों
में बन्द थे तो हम पढ़ते थे, विरोध पक्ष के
सदस्यों पर आरोप लगाती थी कि वे विदेशों
से मिले हुए हैं, विदेशी धन पाने हैं । मैं कहता
हूँ—माननीय गृह मंत्री जी से—सब की
जाच की जाय और जो तथ्य है वह देश के
सामने, सदन के सामने आये । इसमें मुझे
कोई धक्का नहीं है, जो दोषी है, उन
को सजा हो, लेकिन इस तरह का गोर-भात

[श्री मधु लिमये]

बैंग एलीमेशन करना, खास कर मेरे मित्र जार्ज फर्नान्डेज के बारे में कहा गया— मैं पूछना चाहता हूँ कि क्या भारत को प्रधान मंत्री का लड़का एक विदेशी कम्पनी का डीलर नहीं था ? वह कमीशन एजेंट बना, क्या यह भारत की इच्छत और प्रतिष्ठा को ऊँचा उठाता है ? मैं पूछना चाहता हूँ— प्रधान मंत्री का लड़का जब विदेशी कम्पनी का एजेंट बन कर उद्योगपतियों से बहे कि मेरे विमान खरीदो, राज्य सरकारों पर दबाव डाले कि मेरे विमान खरीदो, तो क्या इससे भारत का चेहरा बिगड़ता नहीं है ? जिस प्रधान मंत्री का चुनाव को देश के उच्च न्यायालय ने अवैध घोषित किया, यह लोक सभा में भाषण नहीं दे सकती थीं, वोट नहीं दे सकती थीं, सुप्रीम कोर्ट ने भी विला-वाले स्पष्ट भाषण नहीं दिये, ऐसे प्रधान मंत्री के कुर्सी पर रहने से हिन्दुस्तान का चेहरा बनता है या बिगड़ता है—ये सारी बातें हैं जिनकी मैं जाब चाहता हूँ।

अध्यक्ष महोदय, यह जगोटा ब्रदर्स का जो मामला है—एक भाई भन्नी जेल में सट रहा है, अगर इसकी सही जांच होगी तो बहुत सारे रहस्य खुल जायेंगे कि प्रधान मंत्री का बेटा क्या-क्या कर सकता है। जितने लोगों को जेल में सजाया, उससे चलते कितने लोग मरे हैं—ये सारे सच सामने आजायेंगे।

एक बात मैं और कहना चाहता हूँ— हम लोगों ने चौथी लोक सभा में उस समय के उद्योग मंत्री भरद्वाज श्री फजल्-उल-हक़ी—महमूद के सामने एक निजी सदस्य का बिल रखा था जिस में कहा गया था कि कम्पनीज बोर्डिंग पर पाबन्दी लगाई जाय, इस लिए कि उद्योग-पतियों का राजनीति पर प्रभाव न पड़े। यह मेरा उद्देश्य था, लेकिन व्यवहार में क्या हुआ ? व्यवहार में उद्योगपतियों का असर बढ़ता गया भ्रष्टाचार भी बढ़ता था और इसी चुनाव में मेरी जानकारी है कि अनेक भ्रष्टाचार गृप ने—गृह मंत्री जी अगर इसकी जांच कीजिए, कम्पनी का

मिनिस्टर को भी इसमें दखल देना चाहिए—52 लाख रुपए के इश्तिहार सोविनास के लिये दिए और कई सोविनास तो ऐसे हैं जो प्रकाशित ही नहीं हुए। क्या सोविनास के लिये विज्ञापन देना और 52 लाख रुपये के विज्ञापन देना कम्पनी कानून की अवहेलना नहीं है ?

इण्डियन टैबैको कम्पनी ने एक करोड़ रुपए से अधिक मूल्य के विज्ञापन दिए हैं। यह विदेशी कम्पनी है, सिगरेट के घन्घे में छाई हुई है, इस कम्पनी के प्रधान मंत्री और प्रधान, मन्त्रा के सचिवालय में काम करने वाले लोगों के साथ बड़े मधुर संबंध थे। इस देश में एक मजीब बात चल रही है। सोशलिस्ट विचारधारा के लिये ये लोग कम्युनिज्म का आधार लेते हैं, लेकिन इनका भावपूर्ण देखेंगे तो इतना भ्रष्ट व्यवहार है कि विदेशी पूँजी और स्वदेशी पूँजी के साथ मत रखते हैं। इस रहस्य को धोखे का काम जनता पार्टी की हकूमत को करना चाहिए। इस देश में मजदूरों का कामपय को चन्नने नहीं देंगे। करोड़पतियों का समर्थन करने के लिए समाजवाद की या कामपय की बात करना गरीबों के साथ धोखाधड़ी है।

भारत जनता पार्टी इस के लिए कटिबद्ध है कि किसानों का, गरीबों, हरिजनों और आदिवासियों का और अल्पसङ्ख्यकों का हित करने के लिए इन कार्यश्रमों को लागू किया जाएगा लेकिन अब आपका नक्की कामपय नहीं चलने देंगे। आपने देश को बहुत बड़ा नुक्सान किया है। ये कामपय लोग ऐसे आसक्तों में रहते हैं कि अगर आप को सिर में करा द तो आप पाएँगे कि इन का एक एक दिन का खर्चा एक एक हजार रुपए से कम नहीं है। इनके घरों में प्राइवेट वास लगे हुए हैं और पाच पाच एयर कन्डीशन्स लगे हुए हैं। मैं आपने आप को प्रतिशोध कहते हैं।

अध्यक्ष महोदय, इन सारी बातों के बारे में मैं सदन को भावसाजन देता हूँ कि मैं एक मैमोरेण्डम तैयार करने में लगा हूँ और मैं अपने सभी साधियों से कहूँगा कि वे भी ठोस तथ्यों

व माधार पर अपने आवेदन पत्र सरकार व पास भेजें। श्री कवर लाल गुप्त जी वें बारे में निश्चित रूप से यह कह सकता हू कि उन वा उद्देश्य इस बहस को उठाने का यह वा कि मुक्त का म्याा इस मोर दिलाया जाए। मूलो मोर विसरो, चव्हाण साहब कहते हैं कि मूलो मोर विसरो यह बात नही होगी। अब नये गुल धिलन वाले हैं मोर पापा पर से पर्दा हटेगा मोर चेहरे बेनवाव हो जायेंगे अन्धकार मोर तानाशाही व।

इतना कह कर मैं समाप्त करता हू।

MR SPEAKER Mr Stephen

SOME HON MEMBERS rose—

MR SPEAKER I do not mind giving chance to all of you but we want to take up the second resolution also. You know after all they are feeling that they are the aggrieved party. If you accuse them they have to defend themselves. If I do not give them a chance to whom else shall I give? All of you are accusing including the CPI(M), they have to defend themselves. Mr Stephen

SHRI C M STEPHEN (Idukki) I rise to oppose the Resolution. I oppose not the inquiry part of it not the proposal made that there may be an inquiry about anything. We have no opposition to that. But I oppose this resolution because in my opinion the resolution is not framed in such a manner as to be in conformity with the dignity of this House.

Before I elaborate on that I would like to make one thing very clear. Mr Madhu Limaye has been repeatedly saying that there was a plea from this side for Forget and forgive. We have no such plea at all. Nobody from this side has ever pleaded for forgetting and forgiving. There need be no forgiving. As to whether it should be forgotten that is a matter subjective to the capacity of the person concerned. Forgiving there need not be. Forgiving whom? If

anybody has committed a crime against the people. If anybody has committed a crime against the country then it will not be within the right of anybody to forgive anybody at all. We have no plea for forgiving at all. That we make very clear.

Now my anxiety is that a document passed by this House must be such as to be of the level that the Lok Sabha of India is. For an inquiry a resolution of this House is not necessary. Anybody who has been following the thinking of the Janata Party and anybody who knows the composition of the Janata Party and certain elements which constitute it—I do not mean everybody but some elements which constitute it—needs no astrologer to tell him that there will certainly be a witch hunting. But let not the House be a party to that. That is what I am pleading. There is a Commission of Enquiry Act in this country. There is the CBI. The easiest and the cleanest method for the Government is to act through the CBI the Central Vigilance Section and to resort to the Commission of Enquiry Act. Let enquiry on specific charges be instituted to bring to book the persons who have besmudged anybody if at all such persons are there. For that rubber stamping by this House is not necessary. Let this House not be called upon to give its approval for that sort of purpose. What does this Resolution say?

This House calls upon the Government to immediately appoint a High powered Committee
(Interruptions)

There are certain factors which I am opposing. I am opposing the assertion—Joint deliberate conspiracy. Well the conspiracy has got to be joint. There cannot be a unilateral conspiracy. A conspiracy has necessarily to be joint. How else can there be a conspiracy? Conspiracy has got to be deliberate. There cannot be an involuntary conspiracy. Therefore these two terms—adjectives—are absolutely unnecessary. If it is a conspiracy it has

[Shri C. M. Stephen]

necessarily to be joint. It has necessarily to be deliberate. If these two elements are not there, it is not a conspiracy at all.

Who is a party to this conspiracy? It is the most dangerous part of it. The Government of India is involved in a conspiracy. Let us remember Governments will come, Cabinets will come and they will go. Cabinet is there with the support of the Parliament of India. You cannot think of the Government of India without the Parliament of India and the Government of India carries on with the Parliament of India. To say that the Government of India is involved in a conspiracy against the country and against the people is too far fetched a statement to be made. I would humbly warn the House that we cannot approve of such a sort of thing.

The Government of India Maruti Ltd and its allied concerns have entered into conspiracy. For what? No body says and for what purpose it is not stated. The conspiracy against the country, the conspiracy against the people has its own connotation. Every act of corruption is not an act against the country. Every defrauding is not an act against the country.

Shri Gupta has narrated to the House—selling and buying of shares, defrauding of some money collecting of some advances but not returning. Would that amount to conspiracy by the Government of India against the country and the people of this country?

I am not against an enquiry but I am against the way and the far fetched phraseology.

"Deliberate conspiracy by the erstwhile Government of India Maruti Ltd and its allied concerns and Shri Bansilal"—it means Shri Bansilal is not there as a part of the Government of India. If that is so Shri Bansilal will not be mentioned separately.

Shri Bansilal is a part of the Government of India. Bansilal cannot be treated separately. If Shri Bansilal is treated as separate, there is a question of propriety which I am raising.

Shri Bansilal is to-day a Member of the Rajya Sabha. It is a convention that we observe between the Lok Sabha and the Rajya Sabha that if there is any allegation against a Member of a House, the allegation is raised in that House and not in the other House. If Shri Bansilal is treated as part of the Government of India, then the question is different. If Shri Bansilal is treated as part of the Haryana State, then also my submission is—by the convention that we have been following—that the Parliament of India does not step into that area. The Government of India can step in. The Parliament of India does not step in.

There has been a ruling in this House that where the matter concerns directly a State, then it cannot be made a subject matter of a Resolution here. Now I am only analysing this. The implication is, you are treating Shri Bansilal as a simple individual, an individual who is a Member of the Rajya Sabha, and you want an enquiry against him. It is not in his official capacity but in some other capacity. His official capacity is quite clear. If you had merely said Government of India, one can understand. My analysis will clearly show that there is absolutely certain clumsiness of thought about it. You say about 'numerous illegalities committed by Shri Bansilal'. Sir, before we pass a Resolution that there should be an enquiry, this House must be satisfied that there is a conspiracy. The House must be satisfied that there are certain irregularities. If this House is to be satisfied that there are certain irregularities, the House must know what those irregularities are. The House must be in possession of facts to establish that these acts are acts of irregularities. Without having that data, is it proper for this House to make an

assertion that there is a conspiracy? Is it proper for this House to make an assertion that there are irregularities? Can we pass a resolution on hypothetical propositions or on hypotheses? My humble submission is that this is not in conformity with the parliamentary conventions which we have to observe. I can understand if there is a single line resolution saying that a commission of enquiry may be instituted with respect to this thing or that thing I can understand such a thing. But all these ramifications here have brought in difficulties to my parliamentary mind and that is why I am raising my objection to it.

And finally Sir what is the sort of inquiry asked for? You want a commission consisting of Members of Parliament, judges, public men—a whole lot of them. Why should Members of Parliament be drawn into this? There is an Act. You can have an inquiry only under such an Act. Merely because you pass a resolution. You cannot have an inquiry which is having a legal sanction. You can have it only under the Commission of Inquiry Act. Therefore I object to the composition of the commission. My objection is with respect to the assertion that there is a conspiracy. My objection is with respect to the assertion that the Government of India is involved in a conspiracy against the country. I have very sound objection on all these grounds. I would plead with my friends on the other side that this is too far-fetched an assertion to make that the Government of India erstwhile or present or the forthcoming is or going to be in a conspiracy against the country. And what is the conspiracy? That a company has been handling things in such a manner as to make some money. To call it a conspiracy against the country is a misstatement of fact.

Sir even conceding that certain things have happened to characterize it as a conspiracy against the country and against the people of the country is a statement which would have no

validity at all which will completely denude the implication of the phraseology of conspiracy against the country.

You say numerous irregularities committed by Shri Bansi Lal. He is a Member of Rajya Sabha. The resolution should come there not here. Our Parliamentary convention is that no allegation against a member of a particular House is permitted to be raised in the other House. That we should not contravene. That is why I am pleading this. We have had enough discussion. It is open to the Government of India to order an inquiry if they want it. As far as we are concerned—and as time will prove—our hands are clean and that will be proved to be clean. I have no doubt.

I oppose the Resolution on the grounds which I have stipulated not because I oppose an inquiry but because this House should not be a party to passing a resolution so clumsily drawn up. These are the respectful submissions which I wanted to make.

MR SPEAKER I have not called the other parties. Two of them who have already spoken are from the Janata Party and two from this side. The CPM and other groups are also there. My only worry is whether this second resolution can be taken up or not. We can talk it over. There is absolutely no difficulty. I am only worried that the second resolution will get lost.

Therefore may I request the hon. Home Minister to reply? Would you not give him ten minutes (Interruptions)

If two from this side and two from that side want to speak I have no objection. I shall go on allowing it and then adjourn the House. I am here saying this for the convenience of the House. Let me ask the Home Minister to speak and let Shri Kanwarlal Gupta reply. Thereafter we shall take up the second Resolution. So may I ask the Home Minister to speak?

SEVERAL HON MEMBERS Yes,
Sir

SHRI KRISHNA CHANDRA HAL-
DER (Durgapur) Mr Speaker Sir

MR SPEAKER If I were to call
you, then I may have to call every-
body who wants to speak I do not
know whether I have done justice I
have to do justice to all sides

SOME HON MEMBERS rose—

MR SPEAKER No please I am
on my legs I cannot allow you I
have no objection absolutely if I have
to call one from here and one from the
other side If I allow from this side
I should call those who are accused
You are accusing them they are also
accusing you I think that I have
done justice and I have not done any
injustice to anyone May I call the
Home Minister?

SEVERAL HON MEMBERS Oh,
yes

गृह मंत्री (श्रीपरी चरण सिंह) •
माननीय अध्यक्ष महोदय, मैं एक बड़ा छोटा
सा बयान अंग्रेजी में देने जा रहा हूँ। मैं यह
समझता हूँ कि उस बयान के सुनने के बाद
दोनों पक्षों के किसी माननीय सदस्य को कोई
शिकायत नहीं रहेगी।

I have heard patiently and with
due attention the debate on the Re-
solution tabled by the hon'ble Mem-
ber demanding a probe into various
matters relating to the Maruti Ltd.,
the Nagarwala Case and the com-
plaints against Shri Bansu Lal, former
Chief Minister of Haryana and for-
mer Defence Minister of India

The matters raised are of consider-
able public importance and do re-
quire a thorough probe The pre-
sent Government is committed to give
a clean administration to the people
and it stands for the observance of
the highest traditions of probity, mo-
rality and integrity in public life

Although the resolution refers only
to one basic issue of corruption and
conspiracy against the country, the
illustrations refer to three distinct
matters Therefore, the Govern-
ment propose to institute separate
enquiries The Government took
office recently and has not yet got
adequate time to determine the terms
of reference and the mode of the en-
quiries.

I can however assure the House
that these matters are engaging the
urgent attention of the Government
and effective action will be taken soon
having due regard to the views as
expressed in the House

I hope, in view of what I have
said, the hon'ble Member will be
pleased to withdraw his Resolution.

श्री कवर सात गुप्त अध्यक्ष महोदय,
हमारे कांग्रेसी मित्रों को इस पर ऐतराज हो
सकता है कि इस प्रस्ताव की ड्राफ्टिंग ठीक
नहीं है। उन्हें इस बात पर भी ऐतराज हो
सकता है कि यह एनक्वायरी पार्लियामेंट के
मेम्बरों और जजों के द्वारा न होकर एक कमी-
शन याफ़ इनक्वायरी के द्वारा की जाये। इस
बारे में मतभेद हो सकता है, लेकिन जो सभ्य
मैंने सदन के सामने रखे हैं, उनमें से एक को
भी झुठलाया नहीं गया है। गृह मंत्री ने यह
विश्वास दिलाया है कि इन तीन बेशों की
भलब भलग एनक्वायरी की जायेगी और मोड
याफ़ एनक्वायरी सरकार तय करेगी। मुझे
इसमें कोई दिक्कत की बात नजर नहीं आती
है। गृह मंत्री ने जो कुछ कहा है, मैं उसको पूरी
तरह स्वीकार करता हूँ।

श्री साठे ने कहा है कि यहां पर और
सोच भी है—बादल साहब हैं, दूसरे हैं। कांग्रेस
का शासन इस दलैक्शन से पहले तीस साल तक
रहा। उसने बादल साहब के खिलाफ एक कमीशन
बिठा कर एनक्वायरी भी करा ली। कई दूसरे
सोमों के बारे में भी उसने ऐसा ही किया।
लेकिन बादल साहब के खिलाफ तो केवल एक

लेजिस्लेचर के कहने पर एनक्वायरी कराई गई, और 125 एम० पी० के कहने और पार्लियामेंट तथा विधान सभा में मांग होने पर भी बसोबस के खिलाफ एनक्वायरी नहीं कराई गई। सी० पी० आई० के एक मेम्बर के कहने पर बादल साहब के बारे में एक कमीशन बिठाया गया, मगर जनता ने यह साबित कर दिया कि वह कमीशन एन पोलिटिकल वेन्डेटा के तौर पर बिठाया गया था, वरना जनता उनको कामयाब न करती। वह लाखों वोटों से जीते हैं।

अगर हमारी तरफ का भी कोई व्यक्ति गलती करता है, तो उसको सजा मिलनी चाहिए। माननीय सदस्य रेजोल्यूशन लायें और सरकार के सामने रखें। सरकार उनको देखे और उनके आधार पर कार्यवाही करे, मुझे इस पर खुशी होगी।

मैं आपके सामने वाशिंगटन पोस्ट को बघोट करना चाहता हूँ

"Washington Post of November 10, 1976, with dateline New Delhi quotes a man with good contacts in Government of India 'The public believes a vast swindle is going on. The bureaucrats say they can do nothing. Sanjay calls up Ministers and Secretaries and says 'give the contract to go and so'. He has Ministerial sanction and the Prime Minister supports him. Whether it is Defence Ministry contracts or civil service appointments the hand of Sanjay is visible."

यह बिल्कुल स्पष्ट है कि इन मामलों से देश के माथे पर बदनामी का जो घन्टा लगा है, वह धुलना चाहिए। कांग्रेस पार्टी का हित भी इसी में है कि हमारे सार्वजनिक क्षेत्र में से गन्दे एलिमेंट्स का सफाया होना चाहिए।

यह प्रस्ताव रपत हुए मुझे कोई खुशी नहीं हो रही है। मैंने एक सार्वजनिक कार्यकर्ता के रूप में अपना कर्तव्य समझ कर यह प्रस्ताव रखा है ताकि हमारी पब्लिक लैफ और एडमिनिस्ट्रेशन क्लीन रहे और हमारे देश में डेमोक्रेसी की जड़ें और भी गहरी हों।

यह एक सार्वमान्य सिद्धान्त है कि बड़े से बड़ा भ्रामभी भी कानून से ऊपर नहीं होना चाहिए। श्री साठे यह स्वीकार करेंगे कि किसी भी प्रजातान्त्रिक देश में प्रधान मन्त्री और साधारण व्यक्ति के लिए अलग अलग कानून नहीं होते हैं। मुझे दुख के साथ कहना पड़ता है कि कांग्रेस पार्टी ने इसी सदन में एक तराजू जनता के लिए रखा और दूसरी तराजू प्रधान मन्त्री के लिए रखा। जनता पार्टी एक ही तराजू रखना चाहती है, जिसमें प्रधान मन्त्री और जनता साथ साथ तोले जायें—सब के लिए एक ही मेजरिंग राड हो। अगर हमारा प्रधान मन्त्री गलती करेगा, तो उसको एक मुलजिम की हैसियत से कटहरे में खड़ा होना पड़ेगा।

कांग्रेस पार्टी ने वह कानून पास कर दिया कि प्रधान मन्त्री पर कोई मुकदमा नहीं चल सकता है। वह यह भूल गई कि उसकी सरकार बदल सकती है और वह कानून भी बदला जा सकता है। जनता सरकार इस कानून का बदलेगी, और अगर प्रधान मन्त्री का जवाब देने के बाद उनको दोषी पाया गया, तो उन पर मुकदमा चलाया जाएगा और उन को सजा भी दी जायेगी। उनको सजा भी दी जानी चाहिए। इसमें कोई दो रायें नहीं हो सकती। मैं इन शब्दों के साथ धन्यवाद करता हूँ कांग्रेस पार्टी के मेम्बरों का कि उन्होंने टैक्निकल चीजों पर ऐतराज उठाया, इसके सबस्टैंस पर ऐतराज नहीं उठाया। जैसा गृह मन्त्री जी ने कहा है, उनके बयान के बाद मैं मदन की आज्ञा चाहता हूँ कि मुझे यह प्रस्ताव वापस लेने की अनुमति दी जाय।

SHRI MOHD SHAFI QURESHI (Anantnag) The hon Minister has made a statement that he would have three separate enquiries for three items mentioned in the Resolution. There are actually four matters which have been mentioned in the Resolution namely

SHRI KANWAR LAL GUPTA I have accepted Mr Madhu Limaye's amendment

MR SPEAKER I think Government will take a final decision on that matter and you can leave it to them to decide finally Now I shall have to put amendments first

SHRI HUKMDEO NARAIN YADAV I withdraw my amendment

MR SPEAKER Has the hon Member leave of the House to withdraw his amendment?

Amendment No 1 was, by leave withdrawn

MR SPEAKER Shri Limaye is not there So it has to be put to the vote of the House I shall now put the amendment of Shri Madhu Limaye to the vote of the House

Amendment No 2 was put and negatived

SHRI KANWAR LAL GUPTA Sir I have already said that I want to withdraw my resolution

MR SPEAKER Has the hon Member leave of the House to withdraw his Resolution?

The Resolution was, by leave, withdrawn.

17 45 hrs.

RESOLUTION RE PROBE INTO ATROCITIES COMMITTED DURING INTERNAL EMERGENCY

SHRI JYOTIRMOY BOSU (Diamond Harbour) I beg to move

This House calls upon the Government to forthwith constitute a high powered Parliamentary body to probe into the alleged misdeeds, malpractices and atrocities committed by Central Government and State Governments between 25th June, 1975 and 20th March 1977 when the internal emergency was in force "

This period under Shrimati Indira Gandhi during the internal emergency is the blackest and darkest chapter in Indian history which has no parallel. Everything was done in order to benefit one person. Volumes could be written on it and mere few hours debate is inadequate. The catalogue is very long and I would recite it now and shall deal with it at length later. Firstly the genesis of emergency was illegal. Certain immediate follow up action was taken to silence people who opposed it. There was gagging of the Press and even the telephones, teleprinters and electric lines of the news papers were cut. Fourthly, freedom to publish, that is freedom of expression, was drastically cut and taken away. News agencies were wound up and even the late Fakhruddin Sahib's speech was censored. SAMACHAR was converted into a political PIB and political censor and intelligence officers took journalistic cover jobs. There was indiscriminate use of MISA, DIR and sections of IPC, such as 107 and 109. False specific prosecutions were launched against all political opponents and many others who did not curry favour with the people in power. Unheard of torture, atrocities and repression in jails, in Police lock-ups and outside. Irrespective of age or background were committed. In the name of beautification 50 000 houses in Turkman Gate and Ajmal Khan Road were acquired

and at least 25,000 houses where people had been living for generation were bulldozed. People were beaten to death. In the name of family planning, force was used all over North India. Inconvenient officials were transferred, humiliated and demoted. Judiciary had been reduced to mockery from inside and outside. Price rise remained unabated and there has been a rise of 15.5 per cent between March 1976 and January 1977 at the level of wholesale price index. Between 1971 and 1976, the price rise had been 300 per cent. Monopolists grew by leaps and bounds. The Emergency was wholeheartedly supported by tycoons headed by Mr. K. K. Birla. There were retrenchment, lay-offs and lock-outs. About 15 lakh workers were retrenched, dismissed and thrown out of jobs and the workers have been starving on the pavement of the streets. About 4,000 medium and small factories were closed. About 80,000 juta workers were laid-off. Sanjay, the heir apparent, had made hay while the sun shone. In fact, he

assumed all powers and he became the super Prime Minister. He made a mountain of ill-gotten wealth both in Indian and foreign currencies. He endangered the national security. In fact, he succeeded in making the Indian Air Force strike a deal with a Swedish firm for the purchase of unsuitable WIGAN aircrafts involving about 400 crores of rupees. The ONGC had purchased a crane worth about Rs 9.0 crores from DEMAG of West Germany and through this deal, Mr. Sanjay got a cut at the rate of 21 per cent for himself. Sir, I have got a catalogue of these misdeeds to reveal today, I shall resume at the next session and give you the facts and figures.

MR. SPEAKER: Now, we adjourn to meet again on Monday at 11 a.m.

17.53 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Monday, April 4, 1977/Chaitra 14, 1899 (Saka).

CONTENTS

No 8, Monday, April 4, 1977/Chaitra 14, 1899 (Saka)

COLUMNS

Welcome to the President and Vice-President of the National Assembly of Tunisia	1
Members Sworn	1
Oral Answer to Question—	
Short Notice Question No 2	2—13
Business of House	13-14
Papers Laid on the Table	15—22
Calling Attention to matter of urgent public importance—	
News Item in the Times of India dated 31 3 77 re alleged remarks by P.M. in respect of women as Prime Ministers	23
Shrimati Parvathi Krishnan	23—24
Shri Morarji Desai	24
Re Matter Under Rule 377	24-25
Petroleum Pipelines (Acquisition of Right of User in Land) Amendment Bill— <i>Introduced</i>	25
Statement re Petroleum Pipelines (Acquisition of Right of User in Land) Ordinance—	
Shri Biju Patnaik	25—28
East Punjab Urban Rent Restriction (Chandigarh Amendment) Bill— <i>Introduced</i>	28
Statement re East Punjab Urban Rent Restriction (Chandigarh Amendment) Ordinance—	
Shri Ravindra Varma	28-29
Prevention of Publication of Objectionable Matter (Repeal) Bill— <i>Introduced</i> .	29
Parliamentary Proceedings (Protection of Publication) Bill— <i>Introduced</i>	29

Motion of Thanks on the Address by the Vice-President Acting as President

	30
Shri Hari Vishnu Kamath	30—38
Shri Nathu Ram Mirdha	38—47
Chowdhry Balbir Singh	47—54
Shri Yogya Datt Sharma	54—60
Dr Henry Austin	60—65
Shri Ram Jathmalani	65—82
Shri P K Kodiya	82—87
Shri Laxmi Narain Nayak	87—93
Shri Eduardo Faleiro	93—98
Shri George Fernandes	98—115
Shri Balabrata Barua	116—23
Prof Shibban Lal Saxena	123—27
Shri S D Somasundaram	127—29
Shri Sakti Kumar Sarkar	129—34
Dr Baldev Prakash	134—44
Shri C. M. Stephen	144—56
Shri Asoka Krishna Dutt	156—65
Shri M Ram Gopal Reddy	165—69
Shri Ramji Lal Sumaa	169—77
Prof Dilip Chakravarty	177—87
Shri Kumari Ananthan	187—93
Shri B K. Nar	194—98
Shri C. N. Vengalathan	199—02

LOK SABHA DEBATES

1

2

LOK SABHA

Monday April 4 1977/Chaitra 14 1899
(Saka)

The Lok Sabha met at Eleven of the
Clock

[MR SPEAKER in the Chair]

WELCOME TO THE PRESIDENT
AND VICE-PRESIDENT OF THE
NATIONAL ASSEMBLY OF TUNISIA

MR SPEAKER Hon Members,
at the outset, I have to make an an-
nouncement

On my own behalf and on behalf
of the Hon Member of the House
I have great pleasure in welcoming
His Excellency Dr S Mokaddem
President and Mr Zouhir Fethi
Vice-President of the National As-
sembly of Tunisia who are on a
visit to India as our honoured guests

They arrived early this morning
and will be in India till the 7th April
They are now seated in the Special
Box We wish them a happy and
fruitful stay in our country Through
them we convey our greetings and
best wishes to the Parliament Gov-
ernment and the People of Tunisia

MEMBERS SWORN

Shri Vinodbhai B Sheth (Jamnagar)

Shri Dharmasinhbhai Patel (Por-
bandar)

Shri Motibhai R Chaudhary
(Banaskantha)

Shri V P Nalk (Washim)

ORAL ANSWER TO QUESTION

Short Notice Question

Performance of Tea Corporation of
India upto middle of March, 1977

SNQ 2 SHRI JYOTIRMOY BOSU
Will the Minister of COMMERCE AND
CIVIL SUPPLIES AND COOPERA-
TION be pleased to state

(a) whether the performance of
Tea Corporation of India is deterio-
rating very fast and whether a loss
is expected this year

(b) how many important posts
have been created recently and how
many of them have tea backgrounds

(c) how many management trai-
nees have been recruited and how
those recruitments have been done
and

(d) how many trips have been
made abroad by its officials and what
is the total cost of the same?

THE MINISTER OF COMMERCE
AND CIVIL SUPPLIES AND CO-
OPERATION (SHRI MOHAN DHA-
RIA) (a) No Sir During 1975-76
the company earned a net profit of
Rs 24.44 lakhs and for 1976-77 the
net profit estimated is Rs 30 lakhs
The total turnover is as follows

1974-75 Rs 136.00 lakhs

1975-76 Rs 341.00 lakhs

1976-77 Rs. 680.00 lakhs
(preliminary estimates)

1977-78 Rs 1150.00 lakhs (planned)

(b) During the last 12 months, the
following senior level posts were
created

[Shri Mohan Dharla]

1 post of FA & CAO (Financial Adviser and Chief Accounts Officer) in the grade of Rs 2000-2500

1 post of Visiting Agent (Tea Gardens) in the grade of Rs 1500-2000

Both these posts have not yet been filled up

7 posts in the grade of Rs 1100-1600
All these posts have been filled up

Of these persons occupying 4 posts viz., Managers of the 3 Tea Estates and the post of Tea Adviser are persons having over 15 years tea experience

The 3 other posts created and filled up are administrative posts of Branch Managers. These are occupied by persons having administrative experience

(c) Management Trainee requirements were advertised in the leading newspapers. Five trainees were recruited on the recommendations of the Selection Committees which interviewed the candidates and one trainee who was Trainee Accountant in Public Tea Warehouse was absorbed in the Management Trainee Scheme

(d) During 1976-77 a total of 11 business visits abroad were made by the officials of TCL. The expenditure involved was Rs. 280 lakhs (approx.) and business was secured for about Rs 300 lakhs

SHRI JYOTIRMOY BOSU: Shri Mohan Dharla, the Commerce Minister must make a note that as regards 33 per cent of the tea export done by India the marketing is entirely in the hands of a few multi-national corporations and for poor Indian consumers, the price has shot up by about 33 to 35 per cent which is going to hit them hard. The reason for the same is the massive collection of money by the erstwhile ruling party for election purposes. I know that the erstwhile Commerce Minister had taken Rs 3 crores in a seminar from

Duncan Bros. R.P. Gornka. I know the details. After great efforts, this Corporation came into existence. But the multi-national corporations never allowed it to function. And the previous Government had obliged these economic offenders to subvert this corporation. Please give me the details of previous service background and tea marketing experience of the Chairman and Managing Director, Marketing Development Officer and at least six management trainees that you have recruited recently.

SHRI MOHAN DHARIA: I entirely share the anxiety of the hon. Member. It is true that while the export of tea is to the tune of Rs. 270 crores, the exports by the Tea Corporation are hardly of the order of Rs. 3 crores and under the circumstances, massive efforts shall have to be made. However, the House will please appreciate and particularly the hon. Member because he was very much for bringing this Corporation into existence and that Corporation was created particularly for the export of package tea and under the circumstances in the matter of export of package tea which is of the order of Rs. 25 crores, this Corporation within the last three years has done three crores. Even then, I entirely agree that we shall have to make a massive effort in increasing our exports so far the objective is concerned and I can assure the Member that whatever re-structuring is needed, it shall be done so that this Corporation becomes quite efficient and adequate to fulfil the objective.

Regarding the tea prices, as the House may perhaps be aware, the production of tea in Sri Lanka has gone down by nearly 17 million kg during the last one year. Then the coffee production, particularly in countries like Brazil and Colombia, has suffered. Under the circumstances there is an increase in the demand for tea. I am not aware whether the prices in the country have gone up because of the huge

funds collected by the Congress Party. However I must say that during these two months the prices have gone up by about Rs 6 to 7 per kilogram and there are trends of increasing prices. Therefore I have convened a meeting today to have a dialogue with the planters and tea packagers. It shall be the endeavour of my Ministry to see that the prices do not increase. On the contrary all efforts will be made so that the prices for internal consumption will be brought down.

SHRI JYOTIRMOY BOSU While for 1975-76 the turnover was Rs 341 lakhs and the net profit was Rs 94.4 lakhs according to the statement placed on the Table of the House by the Minister for 1976-77 the turnover has doubled to Rs 680 lakhs but the net profit was only marginally increased to Rs 30 lakhs. I would like to know from the hon. Minister the wage and entertainment bills for 1975-76 and 1976-77 and also the sale price of packaged tea abroad as compared to the prices at the last auction in retail prices in those countries abroad.

SHRI MOHAN DHARIA This is not a question which is that way concerned with the main one. So I will require some time to supply the information. But I can say one thing that this is a new Corporation which is trying to make a dent in the international market. There are four big multi-national companies or combines. Under the circumstances some expenditure will be very much necessary till the time we create our own mechanism for marketing in foreign countries and to that extent if some more expenditure is necessary that should be appreciated.

श्री हरमचंद बट्टराय अध्यक्ष महोदय मैं आपने माध्यम से मंत्री जी से जानना चाहता हूँ कि क्या यह बात सत्य है कि बहुत से चाय बागान बहुत पुराने हैं

और उनमें ठीक उत्पादन नहीं होता है व घाट म चल रहे हैं? क्या उनका विभास के लिए कोई धनराशि अलग से रखी है?

दूसरे क्या विदेशों के भन्दार निगम द्वारा बहुत से ऐसे सप्लाय बनाये गये हैं जिससे भारत की चाय अधिक लोकप्रिय हो? क्या यह बात सही है कि भारत से जो चाय जाती है उसमें घटिया किस्म की और अन्य देशों की चाय मिलाकर उसको बचा जाता है जिससे भारत की चाय लोकप्रिय नहीं हो रही है? यदि यह बात है तो इसे समाप्त करने के लिए क्या कामवाही की जा रही है?

श्री मोहन धारिया हमारे चाय बागानों से ज्यादा ईन्डोनेसिया में मिल सके और हमारे चाय प्लांटेशन में नीचे और जमीन बँसे आए इसने लिए टी बोर्ड और कारपोरेशन की तरफ से कदम उठाए जा रहे हैं। प्रति एकड़ में प्रति साल टी का ईन्डोनेसिया परसेंट बढ़ता है। मगर जितनी ज्यादा जमीन चाय की पैदावार के नीचे धानी चाहिए उतनी नहीं जाती है क्योंकि छ साल साल तक चाय से कोई मुनाफा नहीं हो पाता है और लगभग 20 से 25 हजार रुपये प्रति हेक्टेयर पर उसमें इन्वेस्टमेंट करना पड़ता है। इसमें हम इन्सेंटिव दे सकें इसन लिए हमारी कोशिश रहेगी।

दूसरे देशों में जो चाय जाती है उसमें च पोल्थुशन होता है मिलावट होती है उन देशों में मगर पैटन ज्यादा से ज्यादा चाय जाए खुली चाय कम जाए तो यह सब काम सलम हो सकता है और यही हमारी कोशिश रहेगी। टी कारपोरेशन का पैदा हुआ है वह इसी कारण से पैदा हुआ है।

SHRI M. RAM GOPAL REDDY The hon. Minister is an impartial and honest man. Is it a fact that recently during the Janata wave money

{Shri M. Ram Gopal Reddy}

from these different multi national corporations has flowed into the funds of the Janata Party to the extent of Rs 4 crores and if so is he going to make any enquiry into it?

SHRI MOHAN DHARIA The whole country is aware that it is the Congress Party that was in power while the leaders of the Janata Party were behind bars. Nobody knew that there would be a Janata wave and that the Janata Party would be occupying these Benches. Particularly there were measures like MISA and even if some persons wished to go against the desires of the Congress Party or its leaders they had the fear that they might be put behind bars. In the circumstances any logical and reasonable person will admit that the money is at all, could only have gone to the Congress coffers and not to the Janata Party. I am not saying that it has, but I am here to repudiate that any such money has come to the Janata Party. (interruptions)

MR. SPEAKER When you throw a stone you must be ready to receive one. You cannot have a one sided privilege.

SHRIMATI BIBHA GHOSH GOSWAMI I want to know whether extensive purchases have been made through private middlemen and whether this is against the decision taken by the Commerce Subcommittee and if so the extent of the private purchases.

SHRI MOHAN DHARIA As per my information it is true that some purchases were made and therefore I have convened a meeting this afternoon to see that these purchases go to the consumers at lower prices.

डा० मुरली मनोहर जोशी भारतीय उपभोक्ता की जो चाय बाजार में भिन्न रही है उसकी किस्म बराबर गिरती जा रही है।

धीरे उसकी कीमत बराबर बढ़ती जा रही है क्या यह सही है?

भाग ख के उत्तर में कहा गया है कि बहुत से पदों का सृजन किया गया है। मैं जानना चाहता हूँ कि इन पदों का सृजन की क्या आवश्यकता थी जब कि जो ट्रेड यह हैंडल कर रही है उसकी मात्रा बहुत कम है तीन करोड़ है और निर्यात भी बहुत कम होता है? ऐसी प्रवस्था में इतने अधिक पदों का प्रारंभ इतने अधिक वेतन वाले भी पदों के सृजन की क्या आवश्यकता थी?

श्री मोहन धारिया चाय की क्वालिटी के बारे में मुझे जरूर एग्जैमिन करना होगा क्योंकि पैरज टी जो जाती है उसमें बोर्ड इस तरह की गिरावट होनी की कोई सम्भावना नहीं है लेकिन बन्द टी में सम्भावना होती है। माननीय सदस्य का पास कोई डिटेल्स हो ता वह मुझे दें और मैं जरूर जाब कहूँगा।

जो जवाब मैंने दिया है उस में बताया है कि अगले साल के लिए हमने दो गुना व्यापार बढ़ाये का निणय किया है। उसके लिए प्रयत्नों की बहुत जरूरत होगी। कारपोरेशन का व्यापार और बड़े इसा लिए प्रयत्न इनफ्रास्ट्रक्चर होना जरूरी है। इसलिए यह जरूरी था।

SHRI SOUGATA ROY May I know if the Government is taking over any more sick tea gardens in Darjeeling and Dooars in West Bengal and whether the Government will merely act as a hospital for sick gardens or will also take over healthy gardens owned by monopoly houses like Duncan Brothers and James Finlay?

SHRI MOHAN DHARIA At present there is no such proposal before me to take over any tea gardens but

I can assure the House that if they try to take advantage of the position and exploit the country, whatever measures are necessary for the discontinuance of such exploitation will be taken. We shall not work as it happened in the past.

श्री उग्र सेन : 1975-76 में जो विजनेस ट्यूनिशिया के साथ हुआ है उसने बारे में आडिट, कर्मशियल एकाउंट्स ने एक रिपोर्ट लिखी है। उसकी धोर में मंत्री महोदय का ध्यान दिलाना चाहता हूँ। उस में यह कहा गया है

'To cope with the above order, Tea had to be purchased from Private sources, the total quantity being 162 236 kg valued at Rs 13 63 lacs. A quantity of 31 769 kgs valued at Rs 2 68 lacs was lying in the stock on 30-4-76. Moreover tea was purchased in bags which had the inherent risk of deterioration in the quality of the goods. An additional charge of Rs 0.75 paise per bag was to be paid for packing the same in chest. Taking all these into consideration it may be pointed out whether the private purchase in this way was economical and done in the best interest of the company.'

क्या भली जी इस रिपोर्ट के बारे में अपनी राय देंगे ?

SHRI MOHAN DHARIA I shall require a special notice for it

श्री सशोभनारायण पांडेय मैं मंत्री महोदय से जानना चाहता हूँ कि क्या यह सत्य है जैसा कि उन्होंने कहा कि बाजार में 5, 7 रु० तक चाय के दाम बढ़े हैं और सम्भावना व्यक्त की जा रही है कि और भी बढ़ें क्योंकि पुरानी सरकार से गत मार्च महीने के दूसरे सप्ताह में चाय उत्पादकों के साथ कुछ इस प्रकार का समझौता हुआ है जिस के अनुसार चाय का दाम और भी

बढ़ने वाला है। यदि हाँ, तो क्या आप ऐसे समझौते को लागू नहीं करने की दिशा में प्रयत्न करेंगे ? अथवा पुराने समझौते को रद्द करने की कृपा करेंगे ताकि चाय के दाम कम हों ?

श्री मोहन धारिया मैंने तो अभी बताया है कि चाय के दाम ज्यादा न बढ़ें इस पर विचार करने के लिए आज ही मैंने दोपहर में एक मीटिंग बुलाई है और उस में हम जरूर बौशिश करेंगे कि चाय के दाम ज्यादा न बढ़ें। जहाँ तक दूसरी बात है

I am not speaking of foreign exchange and export because we want to earn more foreign exchange. I am speaking of the internal consumption.

मैंने तो पहले ही कहा दे दिया है।

श्री लक्ष्मोनारायण पांडेय, मैंने पूछा था कि पुरानी सरकार के बीच तथा चाय उत्पादकों के बीच कुछ इस प्रकार का समझौता हुआ है कि जिस के अनुसार चाय के दाम बढ़े हैं ? और बढ़ने वाले हैं।

श्री मोहन धारिया मैंने कहा कि ऐसा समझौता रिटन नहीं होता है, कोई चीज रेकार्ड में नहीं है। मगर यह बात सत्य है कि 2 महीने के अन्दर 6, 7 रु० तक दाम बढ़े हैं। उस के पीछे कई कारण जरूर होना चाहिए। चुनाव पण्ड की बात होगी ऐसा अनुमान निकल सकता है। इस से ज्यादा मेरे पास और कोई मालूमात नहीं है।

SHRI VASANT SATHE Sir, may I know from the hon. Minister, with reference to part (b) of the question asked by Mr. Jyotirmoy Bosu whether he is aware—to have people with good background to ensure quality of tea—that the hon. Member Mr. Jyotirmoy Bosu himself is an expert tea tester and whether he would like to decide to utilize his knowledge and services in this field? Can he kindly let us know, with

[Shri Vasant Sathé]

reference to the last question which he answered whether some of the funds which he says are alleged to have gone in the form of funds have also gone to the side of the Government?

SHRI MOHAN DHARIA Regarding the last supplementary question, I have already replied that there was nothing like that the Janata Party had received this fund and replies to other questions have been given. Regarding the first question I entirely share the feelings of the hon. Member that Mr. Jyotirmoy Bosu is one of the best testers of tea and we would like to have co-operation not only from him but also from others who would like to have the co-operation of the Government.

PROF. R. K. AMIN May I have the assurance from the Minister concerned whether the alleged corruption charges levelled against the Corporation will be examined and a report thereon be submitted to the House before three months? Secondly I would like to know from him—that India being a country which is traditionally exporting tea—whether it is necessary for us to receive management training and things like that when sufficient expertise is already available with us? Usually Sir it is the habit of the Government institutions to import all sorts of things and unnecessarily spend money thereon. Will the Hon. Minister review the working of the Tea Corporation with a view to cutting down such waste whatever is the waste which is already taking place in the Tea Corporation?

Thirdly is he also taking steps to enter into an international commodity agreement in tea so that we can get higher prices for our exports? And if so what steps has he taken or what steps has the Corporation taken in this direction?

SHRI MOHAN DHARIA No charges of corruption have been levelled so far against the Corporation. So naturally there is no question of going into that question.

Regarding the expertise, the House may be aware that there are a few vested interests and big cartels working in the country and outside and they are having their own experts. If we want experts who are not that way related to the vested interests, naturally, we shall have to train our own people who will be loyal to the country and the society. Therefore, to train our own people becomes all the more necessary and I think, the House will appreciate that this will be a good endeavour.

Regarding the higher export prices to be secured in the foreign markets certainly, in the interest of the country it shall be our endeavour to do so.

श्रीधर बलबोर सिंह मंत्री महोदय ने अभी कहा है कि जो अब तक होता रहा है वह धागे नहीं होने दिया जायेगा। मेरा प्रश्न यह है कि जो अब तक होता रहा है उस गड़बड़ को हटाने के लिए क्या कोई हार्ड पावर कमिशन मुकरें किया जायेगा ताकि इन्व्वायरी कराकर प्रापर एक्शन लिया जा सके?

श्री मोहन धारिया • मैं अभी कहा है कि हमारी कार्पोरेशन ५ खिलाफ उसे कोई चांज नहीं है।

श्रीधर बलबोर सिंह • मंत्री महोदय ने अभी कहा कि जो अब तक होता रहा है, धागे नहीं होने दिया जायेगा, वह तो ठीक है, लेकिन जो अब तक हुआ है उसने लिए इन्व्वायरी कराने के लिए क्या हार्ड पावर कमिशन बैठाया जायेगा?

श्री मोहन धारिया • इस कार्पोरेशन का जन्म 1971 में हुआ, मगर तीन साल तक

कुछ काम नहीं हुआ चाहिये चाहिये काम हो रहा है। अब ऐसा नहीं होगा कापेरेशन का काम जल्दी कैसे हो, इस लिए कोशिश होगी। इसके लिए हाई पावर कमीशन बैठाने की जरूरत है, ऐसा मैं नहीं मानता हूँ।

SHRI DHIRENDRANATH BASU May I know whether the hon Minister is considering to take preventive steps so that the tea gardens may not be sinking in future?

SHRI MOHAN DHARIA It shall be our endeavour

11.28 hrs

BUSINESS OF THE HOUSE

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VERMA) Sir there are a number of hon Members who want to participate in the debate on the President's Address. I myself have submitted a long list to you. With your permission I would like to propose that the House may sit today till 7 or 7.30 PM to enable more hon Members to take part in the debate.

Secondly the Government would like the entire business of the session to be completed by the 6th evening. If by any chance that is not possible the House may sit on the 7th also. The Government would like the business to be completed by the 7th evening.

MR SPEAKER Apart from extending the time by one hour on the President's Address if the hon Members restrict their speeches to 10 or 5 minutes a larger number of hon Members can be accommodated. Otherwise it is very difficult for the Chair whoever is in it the Speaker or the Deputy-Speaker to go or ring the bell and try to accommodate more hon Members. The new Members will also get a chance. So, we shall sit today till 7 O'Clock.

SHRI SHYAMNANDAN MISHRA (Begusarai) May I submit for your consideration that if you limit it to 5 minutes per Member it would lead to deterioration in the quality of contribution to the debate? Then I would also like to submit to you that the House should not sit beyond 6 O'Clock. The session might be extended by two or three days. The hon Prime Minister had once told us that he would like the session to be extended in order to accommodate more hon. Members to participate in the debates.

MR SPEAKER That is what Mr Varma has also suggested—that it may be extended by one or two days.

SHRI SHYAMNANDAN MISHRA But to sit beyond 6 O'Clock would be difficult.

MR SPEAKER All of them have agreed. After all everybody need not be there only those who are anxious to speak will be there.

SHRI SHYAMNANDAN MISHRA But in any case, you should not be pleased to agree with the view that the contribution of each Member should be limited only to five minutes. You should not be a party to that.

MR SPEAKER The imposition of a voluntary restriction is what I have suggested so that other Members may also get a chance.

SHRI JYOTIRMOY BOSU (Diamond Harbour) I have a submission to make regarding your ruling on the Privilege Motion against Sri T. N. Kaul.

MR SPEAKER I will give it when I am ready. Do you want me to give it straightaway here and now? I thought I should take some time.

11 87 hrs

PAPERS LAID ON THE TABLE

REVIEW AND ANNUAL REPORT OF
JOYBA BAKERIES (INDIA) LTD NEW
DELHI FOR 1975- 6

THE MINISTER OF AGRICUL-
TURE AND IRRIGATION (SHRI
PRAKASH SINGH BADAL) I beg to
lay on the Table a copy each of the
following papers (Hindi and English
versions) under sub section (1) of
section 619A of the Companies Act
1956

(1) Review by the Government
on the working of the Modern
Bakeries (India) Limited,
New Delhi for the year 1975
76

(2) Annual Report of the Modern
Bakeries (India) Ltd New
Delhi for the year 1975 76 al-
ong with the Audited Ac-
counts and the comments of
the Comptroller and Auditor
General thereon.

[Placed in Library See No. LT 11/
77]

REVIEW AND ANNUAL REPORTS OF
HINDUSTAN HOUSING FACTORY LTD.,
NEW DELHI FOR 1975-76 AND NATIONAL
BUILDINGS CONSTRUCTION CORPORATION
LTD NEW DELHI FOR 1975 76 WITH
CERTAIN OTHER PAPERS IN RESPECT
THEREOF UNDER COMPANIES ACT 1956
NOTIFICATIONS UNDER TAMIL NADU
TOWN AND COUNTRY PLANNING ACT
1971 WITH A STATEMENTS NOTIFICATIONS
UNDER DELHI URBAN ACT COMMISSION
ACT 1973 AUDIT REPORT OF ACCOUNTS
OF CENTRAL BOARD FOR PREVENTION
& CONTROL OF WATER POLLUTION FOR
1975-76 AND ANNUAL REPORT OF D.D.A.
FOR 1975-76

THE MINISTER OF WORKS AND
HOUSING AND SUPPLY AND RE-
HABILITATION (SHRI SIKANDAR
BAKHT) I beg to lay on the Table

(1) A copy each of the following
papers (Hindi and English versions)

under sub-section (1) of section
619A of the Companies Act, 1956

(i) Annual Report of the Hin-
dustan Housing Factory Limited,
New Delhi for the year 1975-76
along with the Audited Accounts
and the comments of the Com-
ptroller and Auditor General
thereon.

(ii) Review by the Government
on the working of the Hindustan
Housing Factory Limited, New
Delhi, for year 1975-76

[Placed in Library See No LT-32/
77]

(iii) Annual Report of the Na-
tional Building Construction Cor-
poration Limited, New Delhi, for
the year 1975 76 along with the
Audited Accounts and the com-
ments of the Comptroller and Au-
ditor General thereon.

(iv) Review by the Government
on the above report

[Placed in Library See No LT-33/
77]

(2) A copy each of the following
papers (Hindi and English ver-
sions)

(i) Statement on the amend-
ment of Capital Clause 'V' of the
Memorandum of Association of
the National Buildings Construc-
tion Corporation Limited, New
Delhi.

(ii) Statement on the amend-
ment of Article 5 of the Articles
of Association of the National
Buildings Construction Corpora-
tion Limited, New Delhi.

(iii) Explanatory Statement un-
der section 173 of the Companies
Act 1956 giving details of amend-
ments in items (i) and (ii) above

[Placed in Library See No. LT-34/
77]

(3) A copy each of the following Notifications under sub-section (2) of section 123 of the Tamil Nadu Town and Country Planning Act, 1971.

(i) The Preparation, Publication and Sanction of Detailed Development Plan (Madras Metropolitan Planning Area) Rules published in Notification No G O Ms 1853 in Tamil Nadu Government Gazette dated the 5th November, 1975

(ii) G O Ms 1877 published in Tamil Nadu Government Gazette dated the 26th November, 1975

(iii) The Tamil Nadu Town and Country Planning Board (Conduct of Meetings) Rules 1971 published in Notification No G O Ms 423 in Tamil Nadu Government Gazette dated the 21st April, 1976

(iv) The Tamil Nadu Town and Country Planning and Development Fund Rules 1976 published in Notification No G O Ms 2486 in Tamil Nadu Government Gazette dated the 26th January 1977

(vi) The Tamil Nadu Town and Country Planning Board (Term of Office and Removal of Member and Filling Casual Vacancies) Rules, 1976 published in Notification No G O Ms 2372 in Tamil Nadu Government Gazette dated the 9th February, 1977

[Placed in Library See No LT-35/7]

(4) A statement (Hindi and English versions) explaining reasons for not laying the Hindi versions of the Notification mentioned at Item (3) above

[Placed in Library See No LT-35/7]

(5) A copy each of the following Notifications (Hindi and English

versions), under sub-section (3) of section 26 of the Delhi Urban Art Commission Act, 1973

(1) The Delhi Urban Art Commission (Accounts) Rules, 1976, published in Notification No G S R 31 in Gazette of India dated the 1st January, 1977

(ii) The Delhi Urban Art Commission (submission of Annual Report) Amendment Rules 1977 published in Notification No G S R. 182 in Gazette of India dated the 5th February 1977

[Placed in Library See No LT-36/77]

(6) A copy of the Audit Report (Hindi and English versions) on the accounts of the Central Board for Prevention and Control of Water Pollution, for the year 1975-76, under sub-section (6) of section 40 of the Water (Prevention and Control of Pollution) Act, 1974

[Placed in Library See No LT-37/77]

(7) A copy of the Annual Administration Report (Hindi and English versions) of the Delhi Development Authority, for the year 1975-76 under section 26 of the Delhi Development Act 1957 [Placed in Library See No LT-38/77]

AUDIT REPORT ON ACCOUNTS OF NATIONAL COUNCIL OF INTERNATIONAL RESEARCH & TRAINING FOR 1973-74 WITH STATEMENT FOR DELAY, NOTIFICATIONS UNDER TAMIL NADU PROHIBITION ACT, 1937 ANNUAL REPORT AND REVIEW OF INDIAN INSTITUTE OF TECHNOLOGY, NEW DELHI FOR 1975-76 NOTIFICATIONS UNDER INDIAN MUSEUM ACT, 1910 AND ANNUAL REPORT OF UGC FOR 1975-76

THE MINISTER OF EDUCATION
SOCIAL WELFARE AND CULTURE
(DR. PRATAP CHANDRA CHUN-
DRI) : I beg to lay on the Table —

(1) A copy of the Audit Report (Hindi and English versions) on the

[Dr. Pratap Chandra Chunder]

accounts of the National Council of Education Research and Training for the year 1973-74.

(2) A statement (Hindi and English versions) showing reasons for delay in laying the above report.

[Placed in Library See No LT-33/77]

(3) A copy each of the following Notifications under sub-section (3) of section 54 of the Tamil Nadu Prohibition Act, 1937 read with clause (c) (iv) of the proclamation dated the 31st January 1976 issued by the President in relation to the State of Tamil Nadu:—

(i) G.O. Ms. 299 published in Tamil Nadu Government Gazette dated the 20th October, 1976 making certain amendments to the Madras Denatured Spirit, Methyl Alcohol and Varnish (French Polish) Rules, 1959

(ii) G.O. Ms. 302 published in Tamil Nadu Government Gazette dated the 27th October, 1976 making certain amendment to the Madras Denatured Spirit, Methyl Alcohol and Varnish (French Polish) Rules 1960

(iii) G.O. Ms. 303 published in Tamil Nadu Government Gazette dated the 27th October, 1976, making certain amendments to the Madras Distillery Rules, 1960

(iv) G.O. Ms. 304 published in Tamil Nadu Government Gazette dated the 3rd November, 1976 making certain amendments to the Madras Liquor (Licence and Permit) Rules, 1960

(v) G.O. Ms. 314 published in Tamil Nadu Government Gazette dated the 3rd November, 1976 making certain amendments to the Madras Liquor (Licence and Permit) Rules, 1960

(vi) G.O. Ms. 319 published in Tamil Nadu Government Gazette dated the 10th November 1976 making certain amendment to the Madras Denatured Spirit, Methyl Alcohol and Varnish (French Polish) Rules, 1959

(vii) G.O. Ms. 322 published in Tamil Nadu Government Gazette dated the 10th November, 1976 making certain amendment to the Madras Liquor (Licence and Permit) Rules, 1960

(viii) G.O. Ms. 22 published in Tamil Nadu Government Gazette dated the 9th February, 1977 making certain amendments to the Madras Liquor (Licence and Permit) Rules, 1960

(ix) G.O. Ms. 43 published in Tamil Nadu Government Gazette dated the 9th March 1977 making certain amendment to the Madras Denatured Spirit, Methyl Alcohol and Varnish (French Polish) Rules, 1959

[Placed in Library See No LT-40/77]

(4) A statement (Hindi and English versions) explaining reasons for not laying Hindi versions of the Notifications mentioned at item (3) above

[Placed in Library See No LT-40/77]

(5) (i) A copy of the Annual report (Hindi version)* of the Indian Institute of Technology, Delhi, for the year 1975-76

(ii) Review (Hindi and English versions) by Government on the above report.

[Placed in Library See No. LT-41/77]

*The Report (English version) was laid on the Table on the 3rd November 1976

laid on the Table on the 3rd November

(6) A copy each of the following Notifications (Hindi and English Versions) under sub-section (3) of section 15-A of the Indian Museum Act, 1910 —

(i) The Indian Museum Recruitment Rules, 1977 published in Notification No GSR 194 in Gazette of India dated the 12th February, 1977

(ii) The Indian Museum (Amendment) Rules 1977 published in Notification No GSR 957 in Gazette of India dated the 19th March, 1977

[Placed in Library See No LT-42/77]

(7) A copy of the Annual Report (Hindi and English versions) of the University Grants Commission for the year 1975-76 under section 18 of the University Grants Commission Act, 1956

[Placed in Library See No LT-43/77]

ANNUAL REPORT OF LIFE INSURANCE CORPORATION OF INDIA FOR THE YEAR ENDED 31-3-76 WITH AUDITED ACCOUNTS AND NOTIFICATIONS UNDER CUSTOMS ACT, 1962 AND CENTRAL EXCISE RULES 1944

उद्योग मंत्री (श्री बृज लाल वर्मा) •

श्री एच० एम० पटेल की ओर से मैं निम्नलिखित पत्र सभा पटल पर रखता हूँ —

(1) जीवन बीमा नियम अधिनियम, 1956 की धारा 29 के अन्तर्गत भारतीय जीवन बीमा नियम के 31 मार्च, 1976 को समाप्त हुए वर्ष के वार्षिक प्रतिवेदन (हिन्दी

तथा अंग्रेजी संस्करण) की एक प्रति तथा लेखापरीक्षित लेख)

[Placed in Library See No LT-44/77]

(2) सीमा शुल्क अधिनियम, 1962 की धारा 159 के अन्तर्गत अधिसूचना संख्या 41-नस्टम्स (हिन्दी तथा अंग्रेजी संस्करण) की एक प्रति जो दिनांक 1 अप्रैल, 1977 के भारत के राजपत्र में प्रकाशित हुई थी तथा एक व्याख्यात्मक शापन ।

[Placed in Library See No LT-45/77]

(3) केन्द्रीय उत्पाद शुल्क नियम 1944 के अन्तर्गत जारी की गई अधिसूचना संख्या 48 मेट्रल एक्साइज (हिन्दी तथा अंग्रेजी संस्करण) की एक प्रति जो दिनांक 1 अप्रैल, 1977 के भारत के राजपत्र में प्रकाशित हुई थी तथा एक व्याख्यात्मक शापन ।

[Placed in Library See No LT-46/77]

NOTIFICATION UNDER INDUSTRIES (DEVELOPMENT AND REGULATION) ACT, 1951

श्री बृज लाल वर्मा : मैं उद्योग (विश्वस्य और विनियमन) अधिनियम 1951 की धारा 9 की उपधारा (1) के अन्तर्गत जारी की गई अधिसूचना संख्या सा 0 मा 0 162 (ई) (हिन्दी तथा अंग्रेजी संस्करण) की एक प्रति सभा पटल पर रखता हूँ, जो दिनांक 14 फरवरी, 1977 के भारत के राजपत्र में प्रकाशित हुई थी ।

[Placed in Library See No LT-47/77]

11.33 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

NEWS ITEM IN THE TIMES OF INDIA
DATED THE 31ST MARCH 1977 RE ALLEGED
REMARKS BY PRIME MINISTER IN RESPECT
OF WOMEN AS PRIME MINISTERS

SHRIMATI PARVATHI KRISHNAN
(Coimbatore) I would first like to
point out that I have not received a
copy of the statement to be made by
the Prime Minister as is the usual
practice

MR. SPEAKER There is no ques-
tion of an advance notice

SHRIMATI PARVATHI KRISH-
NAN But to the person who gives
the Calling Attention notice it should
be given in advance so that he or she
will have an opportunity to go through
it

MR. SPEAKER He has not given
anything in advance. He is replying
hastily to the Calling Attention; you can
hear him and then put your questions

SHRI M. KALYANASUNDARAM
(Tiruchirappalli) I have been a Mem-
ber of the House for six years and
the practice so far was that when a
Calling Attention is admitted before
it is taken up for answer here a copy
of the statement is made available to
all the Members and not only to the
Member who gives the Calling Atten-
tion notice. (Interruptions)

MR. SPEAKER When the state-
ment is long that is what is done but
in the case of some Calling Attention
notices like this when they want to
answer it extempore it is not obliga-
tory or compulsory that it should
be given in advance. (Interruptions)

SHRIMATI PARVATHI KRISHN-
AN I call the attention of the Prime
Minister to the following matter of
urgent public importance and request

that he may make a statement there-
on —

"The news item appearing in the
Times of India dated the 31st March
1977 attributing statements alleged
to have been made by him regard-
ing women as Prime Ministers and
levelling derogatory and unseemly
remarks about them."

THE PRIME MINISTER (SHRI
MORARJI DESAI) May I say that
the controversy which has arisen is in
respect of something which I said more
than two years ago. But I don't wish
that that controversy should go on nor
do I wish that I should add to it fur-
ther. It is very unfortunate that this
should have happened and I regret
very much that I should have been
the cause of it. I can only say that
in future I shall be careful to see that
I don't give scope for such a thing.

SHRIMATI PARVATHI KRISHN-
AN I am very grateful to the Prime
Minister for the statement that he has
made. It is the image of our country
that is involved also, it is International
Women's Decade. That is why we
were disturbed. Particularly he has
claimed in that statement that he is
a follower of Gandhiji. Gandhiji was
the person who taught our country
that women have to take their place
equally with men in order to ensure
salvation for our country.

SHRI MORARJI DESAI May I say
that I respect women far more than
the hon. Member does.

11.36 hrs.

RE MATTER UNDER RULE 377

MR. SPEAKER Mr. Biju Patnaik

SHRI JYOTIRMAY BOSU (Dia-
mond Harbour) Sir, I had given a
notice under rule 377 to draw the at-
tention of the House to public burning
and trampling of newspapers in a pub-
lic meeting.

MR SPEAKER The hon Member, may please sit down He has given notice, I think, on every subject—call attention, under rule 377 and all that—and if I accept everything there will be no other Member doing any work, and time of the whole House will be taken away by Mr Jyotirmoy Bosu. The next moment after he has given notice, he should not get up like this and start speaking It is not proper The State Assembly is there If somebody has stolen or done something with some newspapers they can raise it in the State Assembly, not here I would request him not to raise it like this

SHRI JYOTIRMOY BOSU Sir, you have been unkind to me I had given notice of an Adjournment Motion You told me that that was not being allowed. Now I have given a notice under rule 377 Newspapers have been trampled upon and burnt publicly—Mr Chavan was there as an eye witness—by a Minister of the West Bengal Government in Calcutta

MR SPEAKER That is alright You have had your say now (Interruptions)

There are about 25 notices before me I cannot answer all the Members 25 hon. Members have given notices, and if all the 25 Members begin shouting like this the House cannot proceed in a proper way

Mr Biju Patnaik

11.38 hrs.

PETROLEUM PIPELINES (ACQUISITION OF RIGHT OF USER IN LAND) AMENDMENT BILL*

THE MINISTER OF STEEL AND MINES (SHRI BIJU PATNAIK) Sir, I beg to move for leave to introduce a Bill to amend the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962

SHRI ANNASAHAB GOTKHINDE (Sangli) Sir under rule 72 of the Rules of Procedure and Conduct of Business in Lok Sabha, I oppose the motion for leave to introduce the Petroleum Pipelines (Acquisition of Right of User in Land) Amendment Bill 1977, on the following grounds —

The Statement of Objects and Reasons accompanying the said Bill is incomplete defective and misleading It makes no reference to the promulgation by the President of the Petroleum Pipelines (Acquisition of Right of User in Land) Amendment Ordinance, 1977

Secondly, the said Statement does not specify whether the Bill to be introduced seeks to replace the said Ordinance

The revision of the Statement of Objects and Reasons has, therefore, become absolutely necessary

We have read today what Mr Jayaprakash Narayan has said He has said that those in office were on fast daily and if they did not come up to the mark, they should be made to step down, I have pointed out the serious lapse on the part of a Minister and I hope that an impression will not be created in the country that a Janata Minister merely signs on the dotted line'

SHRI BIJU PATNAIK In his rhetoric the hon Member has quoted what Shri Jayaprakash Narayan has said We on this side shall obey Shri Jayaprakash Narayan implicitly But I would request the hon Member to do a little more home work before giving a notice of this sort to oppose

If he takes the time to go through the Bill that I have presented to this House

SHRI ANNASAHB GOTKHIHDE
The Bill has not yet been introduced.

SHRI BIJU PATNAIK If he looks at clause 11 of the Bill that is before the House he will notice to his surprise that the Petroleum Pipelines (Acquisition of Right of User in Land) Amendment Ordinance is being repeated.

SHRI ANNASAHB GOTKHIHDE
Sir on a point of order I was referring to the Statement of Objects and Reasons. He is referring to something else.

MR SPEAKER He has already made his point. Let him now hear the Minister.

SHRI BIJU PATNAIK I have presented before this House a Bill which seeks to repeal the Petroleum Pipelines (Acquisition of Rights of User in Land) Amendment Ordinance, 1977. It is a part of this Bill which is before the House. The fact is that this simple matter is not included in the Statement of Objects and Reasons. The Statement of Objects and Reasons merely explains as to why this new Act has been brought before the House, in replacement of the old Bill, with further additions required for the new discoveries and scientific development that have taken place in this country, as exhibited in the Kudremukh project. That is why this has been brought up. Therefore, I would request the Speaker to reject the objection.

MR SPEAKER The question is

That leave be granted to introduce a Bill to amend the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962*

The motion was adopted.

SHRI BIJU PATNAIK I introduced the Bill.

11 42 hrs.

STATEMENT RE PETROLEUM PIPELINES (ACQUISITION OF RIGHT OF USER IN LAND) AMENDMENT ORDINANCE

THE MINISTER OF STEEL AND MINES (SHRI BIJU PATNAIK) I beg to lay on the Table an explanatory statement (Hindi and English versions) giving reasons for immediate legislation by the Petroleum Pipelines (Acquisition of Right of User in Land) Amendment Ordinance, 1977.

11 42½ hrs.

EAST PUNJAB URBAN RENT RESTRICTION (CHANDIGARH AMENDMENT) BILL*

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA) Sir, on behalf of Chaudhuri Cheran Singh, I beg to move for leave to introduce a Bill further to amend the East Punjab Urban Rent Restriction Act, 1949 as in force in the Union Territory of Chandigarh.

MR. SPEAKER The question is

"That leave be granted to introduce a Bill further to amend the East Punjab Urban Rent Restriction Act, 1949, as in force in the Union territory of Chandigarh."

The motion was adopted.

SHRI RAVINDRA VARMA I introduced the Bill.

*Introduced with the recommendation of the Vice President acting as President.

*Published in Gazette of India Extraordinary, Part II, Sec 2, dated 4-4-77

11 43 hrs

STATEMENT RE EAST PUNJAB
URBAN RENT RESTRICTION
(CHANDIGARH AMENDMENT) OR-
DINANCE

THE MINISTER OF PARLIAMEN-
TARY AFFAIRS AND LABOUR
(SHRI RAVINDRA VARMA) On be-
half of Chaudhuri Charan Singh I beg
to lay on the Table an explanatory
statement (Hindi and English ver-
sions) giving reasons for immediate
legislation by the East Punjab Urban
Rent Retraction (Chandigarh Amend-
ment) Ordinance, 1976

11 43½ hrs

PREVENTION OF PUBLICATION
OF OBJECTIONABLE MATTER (RE-
PEAL) BILL*

THE MINISTER OF INFORMATION
AND BROADCASTING (SHRI
L. K. ADVANI) I beg to move for
leave to introduce a Bill to repeal the
Prevention of Publication of Objec-
tionable Matter Act, 1976

MR. SPEAKER The question is

"That leave be granted to intro-
duce a Bill to repeal the Prevention
of Publication of Objectionable Mat-
ter Act, 1976"

The motion was adopted

SHRI L. K. ADVANI I introduce
the Bill

11 44 hrs

PARLIAMENTARY PROCEEDINGS
(PROTECTION OF PUBLICATION)
BILL*

THE MINISTER OF INFORMATION
AND BROADCASTING (SHRI L. K.
ADVANI) I beg to move for leave to
introduce a Bill to protect the publica-
tion of reports of proceedings of
Parliament.

MR. SPEAKER The question is

"That leave be granted to intro-
duce a Bill to protect the publication
of reports of proceedings of Parlia-
ment"

The motion was adopted

SHRI L. K. ADVANI I introduce
the Bill

11 45 hrs.

MOTION OF THANKS ON THE
ADDRESS BY THE VICE-PRESI-
DENT ACTING AS PRESIDENT—
Contd.

MR. SPEAKER We will now tak-
up discussion on the Motion of
Thanks Shri H. V. Kamath

श्रीधर बलवीर सिंह (राजियात) :
प्रधक्ष महोदय, जो वागझात मेज पर रखे
जाते हैं वह हम मिलते नहीं हैं। जो पहली
तारीख को रखे गए वह आज भी नहीं
मिले हैं।

प्रधक्ष महोदय लाइब्रेरी में रहते हैं।

श्रीधर बलवीर सिंह वहां पर तो
यह प्रोजेक्टर था कि हमकी दिख जाते
थे।

11 46 hrs.

[MR. DEPUTY SPEAKER in the Chair]

SHRI HARI VISHNU KAMATH
(Hoshangabad) Mr Deputy Speaker,
Sir, some two decades ago a seminar
was held on Parliamentary Democracy
in the Central Hall of Parliament
House. There I took part in the dis-
cussion and I ventured to suggest that
the main task of the opposition was
to expose, to oppose and to depose,
and Mr. Malcolm MacDonald, who was
then British High Commissioner in
India, agreed with me in toto. He
added a corollary, saying that after
deposing one ought to repose. Today
we have no time to repose. There is
no time for rest because the General
Election which had demonstrated con-
vincingly the truth of the old adage:
परमात्मा के चक्के देर भले हैं, अपने नहीं हैं।
and the wheels of God grind slowly
but they grind exceedingly sure, ex-
ceedingly small this Election has
swept into the dust-bin of history the
Mafia gang of Delhi, the monstrous
Mafia gang of Delhi, what we may call
in Hindi बागडोल चक्कड़ consisting of
the then Defence Minister Shri Bansi

*Published in Gazette of India Extraordinary Part II, section 2, dated 4-77

[Shri Hari Vishnu Kamath]

Lal Shri Vidya Chandra Shukla the then Information and Broadcasting Minister Shri Biju Gandhi the Prime Minister's second son and Shri Om Mehta the Minister of State for Home Affairs headed by the big boss the Prime Minister herself

The General Election has ushered into our country a non-violent revolution which has to be carried forward by us and by the people acting in unison. We have no time for rest because we have to dismantle the

monstrous fascist apparatus of oppression and tyranny set up in India by

सचिव रीकडा this Maha gang of or headed by the Prime Minister with her storm troopers and in the places her gatekeepers the Chief Ministers, who set up an odious regime of repression on oppression, tyranny and injustice

I do not wish to go into the details of these monstrous cases of oppression and injustice but I will quote a few cases which are worth citing. I will not mention MISA because it is an odious law, a black law, a lawless law under which many were detained and jailed thousands nay lakhs, were maimed inside and outside the jails, thousands were shot by the Police inside jails as also in the streets of India and lathi-charges too took place inside the jails. The MISA has been faithfully described not as the Maintenance of Internal Security Act but as the Maintenance of Indira Samaj Act because it was enacted to keep the Prime Minister and her second son in their cosy places which they did not deserve to be in.

During this regime of terror and tyranny and darkness, darkness of night there were fabricated cases put up, fabricated on trumped up charges, and thousands of people were jailed of which I myself was a victim. We were picked up I and six friends of mine at the Gandhi Samadhi on Raj Ghat on Gandhi Jayanti day the 2nd October 1975, jailed for a few months and a prosecution was also launched. It was more of persecution than

prosecution. For 8 months the prosecution went on. False evidence was led. False I say because the Magistrate took courage in his hands and had the courage to write in his judgment that this was a fabricated case and myself and my six friends who were the accused were acquitted honourably. But I am afraid that during the climate of emergency the Magistrate might have been demoted and the Police Inspector who fabricated and trumped up a false case might have been promoted.

Be that as it may, I wish to refer to some other monstrous cases of injustice where people in high positions were summarily squeezed out of office, hounded out of office merely because they did not conform to the Mafia gang's code of conduct. One of the monstrous cases was that of Air Chief Marshal P. C. Lal, the then Chairman of Indian Airlines. As far as I know him, he is a man of integrity, character and efficiency. But as ill-luck would have it, he wanted to take action against some persons in the Indian Airlines who were friendly to the Establishment and were stooges of the Mafia gang in power in Delhi and therefore one fine afternoon he found that some stooges of the establishment had occupied his chair. They forced him to sign a letter of resignation which he had to do.

Then there was the case of the Jayanti Shipping magnate—Dr. Dharma Teja. He was prosecuted and jailed for three years. After he came out of jail, I remember he started paying court at 1 Safdarjung Road. There is a mystery about the pardon given to his wife who was a co-accused with him in the Jayanti Shipping case. This must be gone into also; there should be an inquiry into the dismissal of Shri P. C. Lal, the then Chairman Indian Airlines.

Another notorious case which I would like to point out is the case which Lok Nayak Shri Jayaprakash Narayan referred to in his Press Conference in Delhi four or five days

after Shri Morarji Desai now the Prime Minister was released from detention. That was the case of Dalmia Jain Airways in which the Sessions Court had delivered the judgement. But this was suppressed by the Chief Censor in January. The way the Chief Censor functioned is laughable. I remember the famous Gita sloka—

क्षुद्र हृदयदीन-यत्कृत्वोक्तिं त परतप

Shri Krishna exhorted Arjuna not to be a coward but to stand up and fight. That line was blocked by the censor when an article came up for scrutiny.

Worse still was the case of an Indian film actress in London. A London Report about the arrest of actress Verghese for shoplifting later corrected to 'Nargis' was killed by the Censor. The Censor also killed the news relating to the Sadhu of Paunar Acharya Vinoba Bhave in regard to the raid on his ashram and seizure of his magazine *Maitri*.

During that dark period there was an attempt to set up a dynasty in embryo. I use the word embryo deliberately because it did not come to fruition. The embryo was killed. I remember an instance in the First Lok Sabha 20 years ago when we had a Poet Member on the Opposition Bench at that time. In the lobby one day some friends of the Poet Member asked his opinion about a Nehru Dynasty. The Poet Member immediately retorted that if Nehru tried to found a dynasty he would die nasty. That is what has now happened to the dynasty in embryo. It has died a political death. It has died very nastily in the recent election. The people have swept them into the dustbin of history.

AN HON' MEMBER: No repentance.

SHRI HARI VISHNU KAMATH: They would not repent. They would

neither learn nor forget. They will be made to learn the lesson very shortly if they have not learnt it already. I am very glad to see Sir that the Acting President has referred in his Address to the cult of personality and the people have scotched that cult before it could emerge forcibly or become stronger. In the Constituent Assembly 28 years ago in 1949 Dr Ambedkar had sounded a similar warning. Dr Ambedkar said

The second thing we must do is to observe the caution which John Stuart Mill has given to all who are interested in the maintenance of democracy namely not to lay their liberties at the feet of even a great man or to trust him with powers which enable him to subvert their institutions.

Then he went on to say

'This caution is far more necessary in the case of India than in the case of any other country. For in India Bhakti or what may be called the path of devotion or hero-worship plays a part in its politics unequalled in magnitude by the part it plays in the politics of any other country in the world.'

And then this is very topical and throws a lot of light on what has happened in the country in the general election.

Bhakti in religion may be a road to the salvation of the soul. But in politics Bhakti or hero-worship is a sure road to degradation and to eventual dictatorship.

Dr Rajendra Prasad the President of India also sounded a warning. It is very appropriate today in the present condition when the Congress party has brought the country to this sorry pass. He said

If the people who are elected are capable and men of character and integrity they would be able to make the best even of a defective constitution. If they are lacking in

[Shri Hari Vishnu Kamath]

these the Constitution cannot help the country. After all a Constitution like a machine is a lifeless thing. It acquires life because of the men who control it and operate it and India needs today nothing more than a set of honest men who will have the interest of the country before them. It requires men of strong character, men of vision, men who will not sacrifice the interests of the country at large for the sake of smaller groups and areas and who will rise over the prejudices which are born of these differences.

That was a warning which was necessary then and even more necessary today. The task before the country before our Janata Government and also of the people of India is a mighty task to further this revolution which has been ushered in by the general election which is a non-violent revolution. I call it Act One. Scene One. Our task is to accomplish a socio-economic revolution by peaceful methods founded on firm moral and spiritual values.

During the Congress regime nothing was done in the devaluation of moral values, standards and norms of democracy. And this devaluation of values was more calamitous than the devaluation of the currency. The emergency was itself an illustration of the way the Government functioned in their so-called democracy.

My hon. friend Shri Mishra raised a question the other day and I am afraid the Government has not fully understood the implications of what Shri Mishra raised that day. If what he said was correct—and I am sure it was correct—then I have no doubt in my mind that all that was done 12 hrs.

All that was done in the wake of the emergency was illegal, void and unconstitutional. The Proclamation itself was illegal and void. All the ministers and others who functioned in the emergency did all those things

have to be brought to book, to stern justice before the law—justice, stern justice and no misplaced generosity, should be meted out to the Prime Minister, Chief Ministers or anybody else.

I have noticed recently that in the corridors of power in Delhi, there are men waiting to pay court to the ministers, men who had developed cold feet during emergency and who shunned the then Opposition and shunned all those who were against the establishment out of fear, out of panic, out of cold feet, in timidity or pusillanimity. They are now waiting in the corridors of power to pay court and reap benefit out of the present Government. I hope the Government will preserve its image, 'true image', the people's image and will not succumb to the viles of the people who want to pay court to them by waiting in the corridors of power.

One last word and I have done. I would like to submit in all humility and with all earnestness that there is a great task, his one task, revolutionary task before us. Great tasks and little minds go ill together. We will have to have great minds with a great vision before us. Where there is no vision, it has been rightly said, the people perish.

Sir, the other day the Leader of the Opposition or some other spokesman on the other side referred to the discussion on this subject, and they had the temerity to suggest that all these exposures—this expose may lead to the tarnishing of the country's image. I am reminded of what Dr. Kivanger used to say in the United States when the Watergate scandal was exposed. And he being a beneficiary of President Nixon, said that all these exposures might lead to the tarnishing of America's image in the world. What has happened? What really happened after the exposure of the Watergate and the exit of President Nixon was that the image of America

[श्री नाथू ताम मिश्रा]

पोलिटिक्स नजारा है। कुछ लोग जो समाधि की तरफ़ देखना भी नहीं चाहते थे वह भी वहां पर भाराम से छड़े हुए शपथ ले रहे थे। वस्तु प्रच्छेद लक्षण हैं अगर उस शपथ को ध्यान में रख कर जनता पार्टी आगे चलने की वांछित करती है तो। उस के बाद मैंने इस सदन में माननीय वित्त मंत्री जी का भाषण सुना, रेल मंत्री जी का भाषण सुना और उस के बाद आज जिस प्रस्ताव पर हम बहस कर रहे हैं उस राष्ट्रपति के अभिभाषण की भी पढा और सुना। यह तीनों काफी महत्वपूर्ण मीके होते हैं।

जनता पार्टी की सरकार ने यह कहा है कि अभी हम को चार्ज लिये बहुत थोड़ा समय हुआ है इसलिए बहुत से मुनियारी मुद्दों पर हमारी नया नीति और दृष्टिकोण होगा हम आगे वाले सेशन में इन बातों पर अपनी नीतियों पर गहराई से प्रकाश डालेंगे। अभी जो कुछ प्रकाश डाला है उस में जो मुद्दे सगा है वह मैं आप के सामने रखना चाहता हूँ। मैं माननीय रेल मंत्री के भाषण से जो कुछ समझा उन्होंने दो साल के रेलवे के परफार्मेंस के बारे में वस्तु स्थिति का अपने भाषण में जिक्र किया। उस समय जनता पार्टी के पीछे बैठे हुए माननीय सदस्यों ने चेहरे को मैं देख रहा था, उनकी हुई कायचाहियों को भी देख रहा था और उससे मुझे कुछ दुःख भी हो रहा था क्योंकि रेल मंत्री जी ने कुछ पोलिटिकल आनेस्टी बरती।

उन्होंने पिछले साल के रेलवे के परफार्मेंस के बारे में जिक्र किया और उससे बारे में जनता पार्टी के यहाँ बैठने वाले सदस्यों के हावभाव देख कर वह खुद यबरा गये और उन्होंने यह कहा कि यह परफार्मेंस रेलवे कर्मचारियों और जनता की बजह से है। यह एक नई टर्मिनालाजी सुनने की मिली। यद्यपि फलतः यह है कि अगर कोई परफार्मेंस

आगे भी किसी महकमें में होगी तो वह इन मतिमो और सरकार की नहीं होगी, वह भी जनता और जनता के कर्मचारियों की ही होगी। जनता पार्टी ने एक नई टर्मिनालीजी यह रखी है, क्या ये इसे परमानेंट टर्मिनालीजी बना कर चलना चाहते हैं, यह मेरा एक प्रश्न है?

उसके बाद वित्त मंत्री ने छड़े हो कर देश की स्थिति के बारे में कुछ जिक्र किया। मुझे उनके भाषण और उनके दृष्टिकोण को देख कर बहुत ही दुःख हुआ। उनके भाषण को सुनने के बाद मुझे ऐसा लगा कि इस देश में पिछले 30 साल में जैसे कुछ भी नहीं हुआ और हम फिर खोरो से सारा काम शुरू कर रहे हैं। इस कट्टी में काफ़ी कारीबार हुआ है। (व्यवधान) आप भी अपनी बात बाद में कह लीजिए। आपको बहुत मोका मिलेगा। मैं ऐसा आदमी नहीं हूँ जो किसी के बीच से बोलूँ। मेरा प्रश्न है कि मैं किसी के बीच में नहीं बोलूँगा। मैं आपसे यह भी निवेदन कर देना चाहता हूँ कि उत्तर भारत में मैं ही अपनी पार्टी का एक मुमाइन्दा हूँ, इस बात का भी आप लोग ध्यान रखें।

मैं आपसे यह निवेदन कर रहा था कि वित्त मंत्री ने कहा कि इस देश में कृषि उत्पादन कुछ बढ़ा है, तो वह मौसम की अनुकूलता की बजह से बढ़ा है। जनता पार्टी के बहुत से लोगो को ख्याल होगा कि जब यह देश आजाद हुआ तो इसका खजाना का उत्पादन 50 मिलियन टन था। आज वह उत्पादन 118 मिलियन टन पहुँच गया है। यह सबते हैं कि इसमें अच्छे मौसम का भी असर है लेकिन पिछले 30 साल में 50 मिलियन टन से इसका प्रोडक्शन 110-112 मिलियन टन पहुँच चुका है उससे नीचे नहीं जाता है तो मैं निवेदन करना चाहता हूँ कि मौसम के बलाबा और भी कई फैक्टर्स इसमें भात है, ऐसा हम सब लोग समझकर चलें। आगे भी चलने के लिए

भार्ज का सबल कुछ मानकर ही चल सकेंगे । वह भी हमें तब करना होगा । यह है एथी-करकर का उत्पादन हो या उधीग का, यह मैं बहुत बिलना बड़ा यह कोई न कोई आधार भाज का भा कर ही चलना होगा करना भाग यह भी सम्पूजन होगा कि भाग ने कहा से शुद्ध किया और यह पहा पहुँचे ।

हमने जा पीछे खराब किया, हमको जो भी सजा आप दें, हम उस भोगने को तैयार हैं । आप कमिशन बैठाइये, इन्वयरी कीजिए, लेकिन मरी प्रार्थना है कि आप उसमें ज्यादा समय मत लगाइये, जो करना है, कर डालिये । अगर यहाँ भाषण में ज्यादा समय लगा देंगे तो जो आप को आगे काम करना है उससे पीछे रह जायेंगे । इस सदन का टाइम बड़ा कीमती है, एक मिनट के हजारी रुपये लगत है । हमारे माननीय सदस्य भी उपोत्तिर्मय अनु हैं, वो, तीन घण्टे का समय तो यही खा जाते हैं । आप इन्हें समझाइये, कटाल कीजिए क्योंकि आपकी पार्टी का साथ है । जनता पार्टी बड़ी हैट्रोजीनियस है इसमें कई प्रकार के दल हैं और आपने इनका अपने साथ मिला न तब किया है । आप ऐसा कीजिए जिससे कुछ अनुशासन हो और इस सदन में एक एक मिनट का सही उपयोग हो, इस सब की कोशिश होनी चाहिए ।

उद्योग की प्रोग्रस खीरो से बढ़ कर 10 परसेंट तक पहुँच गई, लेकिन जनता पार्टी की तरफ से कहा जाता है कि कुछ भी नहीं हुआ है । हमने अपनी हार बड़ी प्रेसफुली स्वीकार की है । जनता ने हम को हमारे इकानोमिक प्रोग्राम के कारण नहीं हराया, बल्कि हमारी कुछ गलतियों के कारण हराया । हम उन गलतियों को

स्वीकार करते हैं । भूतपूर्व प्रधान मंत्री जी भी उन का स्वीकार करती है । हम बोल्डली कहते हैं कि हम ने प्रगति का है इसलिए जनता ने हम जो सजा दी है, वह हम भुजूर है । आगे कमिशन द्वारा एन्-क्वायरी करवा कर भी हम जो सजा दी जायेगी, वह भी हम मंजूर है । लेकिन सरकार को इन बातों पर ज्यादा समय बर्बाद नहीं करना चाहिए ।

वित्त मंत्री का भाषण पोलिटिकल मानेस्टी से परे था । मुझे आशा है कि आगे वह ज्यादा मानेस्ट हो कर आयेंगे । आज जनता पार्टी में कई पार्टियाँ शामिल हैं। समझ में नहीं आता है कि यह किन नीतियों के आधार पर देश को आगे बढ़ायेगी । अगर वह अपनी नीतियों को साफ करेगी, तो इस से देश को बल मिलेगा । जनता को अच्छी तरह से मालूम है कि पिछले तीस सालों में एथीकल्चरल प्रडक्शन और इन्स्ट्रियल प्रडक्शन के क्षेत्र में कितना काम हुआ है । हम आश्वासन देते हैं कि हम सरकार को पूरा सहयोग देंगे ।

जहाँ तक एथीकल्चरल प्रोडक्शन का सम्बन्ध है, नेशनल कमिशन ऑन एथीकल्चर ने 34 वाल्यूम्स की एक रिपोर्ट सरकार को दी है । यह एक इम्प्लिमेंट कमिशन था । इस देश में जंगलात, जानवरों और खेती से कैसे धन बढ़ाया जाये, और इस सम्बन्ध के एण्ड में हमारे फैमिली प्रोग्राम के बावजूद देश की जनसंख्या, जो 95 करोड़ तक पहुँच जायेगी, उसको कैसे फीड किया जाये, इस बारे में अगले छ साल का निम्न जिम्मेदारी जनता सरकार की है ।

राष्ट्रपति ने अपने अभिभाषण में कहा है कि आगे वाले दस सालों में हम जनता को

[श नातू नाम मिश्रा]

मच्छा जीवन दे सकेंगे और बेरोजगारी को मिटा सकेंगे ।

12 18 घण्टे

[MR. DEPUTY SPEAKER in the Chair]

हम दोनों का उद्देश्य यही है लेकिन अगले दस साल में यह काम कैसे किया जायेगा, इस बारे में सरकार को एक प्रोग्राम बनाना चाहिए । अगर वह बारह महीने हों गलियाँ देने में निश्चय देगी, तो काम करने के लिए उस के पास सिर्फ 9 साल बचेंगे । काम करने के लिए अगले छ साल तो उस के निश्चित हैं । अगर इस बीच में वह गिर जाय, तो और भय है । उस के गिरने का खतरा है । हम उन में फूट नहीं डालना चाहते हैं । वह स्वयं अपने बैठ से गिरेगी । अगर यह सरकार इन छ सालों में जनता की भलाई के लिए काम करती है, तो उस के बाद अगर फिर जनता पार्टी की सरकार बनती है, तो हों कोई एतराज नहीं होगा ।

राष्ट्रीय कृषि आयोग की रिपोर्ट हिन्दुस्तान के 80 परसेंट लोगों के बख़्शेवर का डाकुमेट है । सरकार को उस का अध्ययन कर के उस पर कार्यवाही शुरू कर देनी चाहिए और छठे प्लान के प्रस्तुत उस के मुताबिक योजनाएँ बनानी चाहिए । सरकार को प्रोन्नत रमट और दामो के बारे में क़ौज़ा करना है । महंगाई को देखते हुए विज्ञान का कास्ट आफ़ प्रोडक्शन बहुत बढ़ गया है । सरकार विज्ञान को 102 193 या 105 खप देनी है । वह कुछ और ज्यादा दे सके, तो अच्छा है । यह ठीक है कि वह बहुत ज्यादा समिन्दी नहीं दे सकती है । प्राय 136 के रेट पर प्राय बेच रहे हैं । अगर बेचने के रेट को घोड़ और ऊँचा कर दें तो जो कुछ भार ने बेरोज लोगों की वज़ाई है उसमें बहुत ज्यादा समिन्दी भार को नहीं देनी पड़ेगी और क़श्तकार को भी उस की पैदावार की

कुछ ज्यादा कीमत मिल जायेगी । आज यह एक बहुत बड़ा सवाल है कि काश्तकार को उस के पैदावार की वाजिब कीमत मिलनी चाहिए और यह सवाल कि किस तरह से प्रोक्पोरिट किया जाय, क्या उस की कीमतें मुकर्रर की जाय पहले से चला आ रहा है । पहले भी यह सवाल था कि काश्तकार को उस की पैदा की हुई चीज़ों के उचित दाम नहीं मिलते । अब आप की नई सरकार बनी है । हमें यह देखना है कि हिन्दुस्तान के काश्तकारों को आप इस बारे में क्या हसाफ़ दे सकते हैं । थोड़े दिनों में ही इस का पता चल जायगा जब तक सदन चल रहा है उस के अन्दर ही बता दें तो हम को भी पता चल जायगा, वरना अख़बारों में जनता भी पढ़ेगी और हम भी अख़बारों से ही पढ़ लेंगे । अभी तक बहुत सी बातें इस बारे में सोचने और करने की हैं । उन को आप सीधे और करें । प्रधान मंत्री जी बहुत तज़ुबेकार हैं और बहुत बुद्धि हैं । आप की पार्टी के लोगों को कम से कम तकनीकें उन के पास आवें ऐसा इतज़ाम आप करें । आपस के प्रेशर और दूसरे प्रेशर्स से उन के काम करने की शक्ति पर असर पड़ेगा । इस देश से गरीबी मिटाने का काम दस साल के अन्दर उन को करना है । उस के लिए बहुत कुछ करना पड़ेगा और बहुत ज्यादा मीरियम हो कर उन्हें इन सारी बातों के ऊपर सोचना पड़ेगा । हम भी उस में प्राय का साथ देना चाहते हैं । हम इस बात को भी मानते हैं कि देश में दू पार्टी सिस्टम हो और उस के लिए पदर पोस्टरगज़ेशन करते की ज़रूरत हो तो यह भी कर दिया जाय । देश के अन्दर दो पार्टियाँ बना कर अगर हम सीधे तौर के मार्ग पर सफलतापूर्वक चल सकें और देश को आगे ले जा सकें तो मैं समझता हूँ यह एक बहुत ही अच्छी बात होगी ।

जहाँ तक एमर्जेंसी का ताल्लुक है मेरी राय में इस देश के लिए एमर्जेंसी

जल्द ही क्या कि जिस तरह का वातावरण स्कूलों कालेजों और रेलों इत्यादि में बना हुआ था उस में एमजेंसी लागू करना बहुत ही आवश्यक हो गया था। मेरी राय में एमजेंसी नहीं होती तो यह दंग मर जाता (व्यवधान) मैं इस तरह के हल्लों से दबने वाला नहीं हूँ। एमजेंसी में हमारी गलतियाँ हुई हैं, उन को मैं मानता हूँ। मैं आप में यह भी कहना चाहता हूँ कि जिस रास्ते पर आप चल रहे हैं उस के बारे में माननीय मंत्री जी और प्रधान मंत्री जी कुछ और सोच लें। आपने रेलवे के लोगो को बहाल किया। आपने 600 आदमियों को मोकरी पर ले लिया, हमें कोई एतराज नहीं है। लेकिन एक प्रोसीजर, एक तरीका होता है करने का। अच्छा होता आप इस की थोड़ी और स्कीमिंग कर लेते क्योंकि ऐसा न हो कि वही उच्छ्वसता फिर इस देश से बापस आ जाय। यह ख्याल आप को रख कर चलना है। आप बीनस और दूसरे सबालो को देखें। ठीक है मंत्री जी ने याद दिलाया उस दिन कि य-य भागें आप न की थी। पर हम तो समझौता करने के लिए तैयार थे। मतलब यह कि आज आप भी महसूस करते हैं कि सारी भागें मानने लायक नहीं हैं, मानी नहीं जा सकती हैं।

मैं आप में यह निवेदन करता हूँ कि आर्गेनाइज्ड लेबर इस देश में तगड़ा है। उनमें प्रतिनिधि आप की पार्टी में भी तगड़े हैं। अगर आर्गेनाइज्ड लेबर के एक हिस्से से ज्यादा आप ने दे दिया तो देश के करोड़ों गरीब जो अन-आर्गेनाइज्ड हैं उन का क्या करेंगे? आप के सामने रिसोर्सेज का भी सबाल है। (व्यवधान) मैं यह निवेदन कर रहा हूँ कि इस देश में लेबर को एम्प्लोयमेंट डेम्पर कर के फिर वही उच्छ्वसना का वातावरण बापस घटा कर दिया गया तो यह खतरा खुद अपनी

मौत मोल लेगी। यह मैं बहुत गंभीरता से निवेदन कर रहा हूँ। इस देश में करोड़ों गरीब लोग पड़े हुए हैं जिन के लिए कोई बोली वाला नहीं है जिनका कोई आर्थे नाइजेशन नहीं है और उनमें बहुत कम नेता इस सदन में आते हैं। (व्यवधान) वह कमजोरी हम में थी। पर हमारी कमजोरियाँ पर हमने से आप का काम नहीं चलेगा। आपका काम जरा मजबूत हो कर चलने से चलेगा। अगर वही वातावरण फिर बापस आ गया तो अच्छा नहीं होगा। आज भी आप जाय तो पायेंगे कि सात दिना के अन्दर वातावरण में कितना फर्क आ गया है? रेलों में बिल्कुल ही इडिपेंडेंट आदमियों का यह ख्याल है कि एम्प्लोयमेंसी में दस परसेंट का फर्क आ गया है। मैं रस मंत्री से निवेदन करूँगा कि वे इस बात पर विचार करें बहुत ही ईमानदार आदमियों का यह कहना है कि दस परसेंट का लैबुना उस की बकिंग में आ गया है। अगर यही हालत रही तो गिरत गिरते कहीं ऐसा न हो कि इस एमजेंसी में जो गैन्स हुए उन की भी आप छोड़ दें और देश का नुकसान हो। यह मेरी आपकी बानिष है। इस पर आपकी कितना गौर करना है इसका फैसला तो आपको ही करना है। चूँकि समय की कमी है और मैं आपकी आज्ञा की मानने वाला हूँ इसलिए आगे जब बजट आयेगा या दूसरी नई चीजें आयेंगी तब और विचार प्रकट करूँगा खुलकर अपने विचारी की इस सदन के सामने रखूँगा। अभी आपने मुझे बालन का भवसर दिया उसने लिए मैं आपका धन्यवाद देता हूँ।

उपा-यदा महोदय श्री बलवीर सिंह।

श्री राम नरेश कृष्णाहा (मनेमपुर)
उपाध्यक्ष महोदय आपने शकशर को स्वयं

[धार म नरेण कुजव हा]

बहा था कि मेरा नम्बर आया है, मुझे समय मिलेगा ।

उपाध्यक्ष महोदय मुझे तो जो लिस्ट मिलती है उसी के हिसाब से पुकारता हूँ । आप अपनी पार्टी के हिसाब से बात कर लें । आपको पता है उस दिन श्री राज नारायण बेंड पण्टा बोले ।

श्री राम नरेण कुजवाहा उनके बोलने के बाद आपने कहा था ।

उपाध्यक्ष महोदय उनके बोलने के बाद तो नान-आफिशियल डिश्नेस शुरू हो गया था ।

श्रीधर वल्लभ सिंह (होशियारपुर) : उपाध्यक्ष महोदय, जनता पार्टी का सूरज निकल आया और उल्टा को अगर नजर नहीं आता तो जनता पार्टी के सूरज का क्या कमूर है ? मैं तो अपने स्वास्थ्य मंत्री से कहूँ कि हमारे जो विरोधी पक्ष के नेता हैं उनकी छाँछों में फिज़ूर है, उनकी छाँछों का इलाज करवाये क्योंकि उनकी जनता पार्टी एक जानवर नजर आती है । अगर यह पता चल जाये कि उनकी नजर में फिज़ूर नहीं है तो फिर उन्हें मेंटल हॉस्पिटल में भेजें क्योंकि दिमागी खराबी से ही किसी को आदमी जानवर नजर आता है ।

उपाध्यक्ष महोदय, बीस महोने की कहानी, तीस साल की कहानी और दस साल की कहानी-यह तीन भलग भलग कहानियाँ हैं । बीस महोने की कहानी में क्या-क्या हुआ है ? श्री लखन पाव जो चण्डीगढ़ में बार कौंसिल के चेयरमैन थे, उनका क्या कुसूर था ? श्री जय प्रकाश नारायण के भाई उनके पास पहुँचे, वे श्री जय प्रकाश जी से मिलना चाहते थे । वे उनकी अपनी बार में स्वरगये थे, उनकी वापिस ले कर आये और वे धूँद भिने नहीं । पुलिस उन्हें ले गई और अखिर जब वे मरने के करीब

हूए तो उनको पी जी आई में भेज दिया गया । उनको बीबी को फोन गया कि आप लखन पाव को घर से जाइये । पी जी आई में जब लखन पाव की बीबी पहुँची तो उनकी लाश लेकर घर गई । यह किस्सा सिकें एक आदमी का नहीं है । यहाँ पर श्री प्राणनाथ एडवोकेट थे, उनका क्या कुसूर था ? उनका कुसूर यह था कि जो पहले प्रधान मंत्री थी, श्रीमती इन्दिरा गांधी उनका जो बेस चयन रहा था उसमें वे श्री शांति भूषण के साथ, जो भव मिनिस्टर हैं, एडवोकेट थे । उनके घर पर छापा मारा गया, उनके बीबी बच्चों को तग किया गया और उनका सारा सामान उठाकर पुलिस ले गई जोकि आज भी किसी जगह रखा हुआ है और सड़ रहा है । श्रीमती इन्दिरा गांधी ने 18 जनवरी को जय एलान किया उसके बहुत बाद 7-8 फरवरी तक उनको छोड़ा गया । अखिर, क्या कुसूर था उनका ?

मेरा अपना भी पीडा सा किस्सा है । मैं बी ए बी कॉलेज की मैनेजिंग कमेटी का प्रधान था । मुझे 26 जून, 1975 को पकड़ा गया । घरे बाप मेरे सीनियर वाइस प्रेसीडेंट, श्री जयराम दास को पुलिस में बुलाया गया । उनका हैरतमेक हुआ, उनको टॉल टॉवर लिया गया । बार घटे के बाद उन्हें कहा गया कि आपको बीसा में गिरफ्तार लिया जायेगा नहीं तो आप दस घन कर दें कि आप कमेटी को दिल्ली वालों के सुपुर्दे कर दें । जब दोबारा टेलीफोन आया एस पी का तो कहा गया कि आप 24 घंटे इंतज़ार करें और उसके बाद जवाब दें कि इन कामकाज पर आप दस घन करेंगे या नहीं । वे घर वापिस आये तो रात उनका हाट फेल हो गया । यह किस्सा है इस देश में बीस महोने की इमर्जेन्सी के । अभी अफर के एक माननीय सदस्य ने कहा कि ये इमर्जेन्सी के गैन्ज हैं । गैज यही है कि जनता पार्टी यहाँ था कर बेंड गई है और आप को उठा कर यहाँ पटक दिया है ।

जिन्होंने कहा है कि इस देश की बहुत तरक्की हो गई है। हमारे फारम-एक्मचेन्ज का वैल्यू बढ़ गया है मैं उनको यही कहना चाहता हूँ कि ये वही लोग हैं जिन को पिछले 30 साल से आप गालियाँ निकालते हैं, ब्रेन-ड्रेन हो रहा है लोग इस देश से बाहर जा रहे हैं, यह पैसा उन्हीं लोगों ने भेजा है। हमारे यहाँ डा० खुराना ये, जो इन की यूनीवर्सिटियों में गये, रिसर्च इंस्टीच्यूअन्स में गये, लेकिन किसी ने उस की परवाह नहीं की कि खुराना कौन है। भापूस हो कर वह अमरीका चले गये, उनकी काबलियत इस देश में किसा को नजर नहीं आई लेकिन अमरीका ने उनकी हायर्सिपत का पता लगा लिया, उस को मालूम हो गया कि इन के सिर में भी दिमाग है, उन्होंने कहा रह कर खोज की और उस का यह नतीजा निकला कि उन को नोबल प्राइज मिला। उस के बाद इन को भी उस की काबलियत का पता लग गया और ये कहन लगे कि डा० खुराना हिन्दुस्तान का हैं, एटम-बम के बाद इन्होंने दुनिया की सबसे बड़ी खोज की है। डा० खुराना ने कहा कि अब मैं हिन्दुस्तान का कहा रहा, मुझे तो थक्के देकर बाहर निकाल दिया गया था। आज इस देश में एक नहीं अपने को खुराना है जिन्हें मारा नहीं मिला है। मैं अपना पार्टी के नये मिनिस्टर साहब से बहूना जैसा जनता पार्टी ने अपने मैनिफेस्टो में कहा है कि इस देश में हर आदमी को काम के हक मिलेगा और अगर सरकार उस को काम नहीं दे पायेगी तो उसे पैकारी एलाउन्स मिलेगा उस वामदे को जल्द से जल्द एक प्रोग्राम बना कर पूरा किया जाय।

आज हम रोज अखबारों में पढ़ते हैं कि कोई सड़का प्रोजेक्शन करने के बाद, पोस्ट-प्रेजुएंट बनने के बाद रेल के नीचे सिर देकर मर गया, क्योंकि इस देश में उस काम नहीं मिल सका इस से दिल की बहुत चोट लगती है। आज हमारे देश के सड़के बाहर के मुल्को में जा कर, इन्ड, अमरीका और

कनाडा की बात छोड़ दीजिये रेगिस्तानी मुल्को में जा कर शानदार काम कर रहे हैं, कैन्ट्रिया बना रहे हैं बिजल घर बना रहे हैं अस्पताल बना रहे हैं, डिबोय और बसों में जा कर मकान बना रहे हैं वे सबके हमारे देश में भी उस काम को कर सकते हैं। हमारे मुल्क की धरती में हर चीज है। आज दुनिया में कोई मुल्क ऐसा नहीं है जहाँ हर चीज पैदा होती है लेकिन हमारे मुल्क में हर एक फल पैदा होता है सब्जी पैदा होती है, भाज पैदा होता है, हर तरह के मिमरलज हमारे देश की धरती में भरे पड़े हैं, हम उन से फायदा उठा सकते हैं, लेकिन इस देश की पिछड़ी हुईमत में दिमाग मेहनत और दोनत तीनों की इन्कश करने। प्रयास नहीं किया इन्होंने सिर्फ अपना पेट भरने की लगातार कोशिश की, जिस का नतीजा यह हुआ कि देश गरीब होता गया। ये लोग यहाँ पर सवाल करते हैं अभी 10 दिन सरकार का बने हुए है ये लोग पूछते हैं कि आप ने ऐसा क्या नहीं किया, लेकिन घरने 30 सालों की बात को मूल जाने है। इन की 20 महीने की इमर्जेंसी के गेज या 20 प्वाइन्ट प्रोग्राम क्या था। 8 हजार की इन्कम टैक्स की हद कर दी यह इन का प्रोप्रेसिव बंदम था, लेकिन अब अगर यह 10 हजार हो जाये तो आयद बहुत ज्यादा प्रोप्रेसिव हो जायगा। इन्होंने ट्रका के नेशनल प मिट बिये, इस लिये कि उस से माल के लाने से जाने में ज्यादा तेजी आती है, लेकिन उस को भी भीमित रखा और उस में भी करप्शन को ए नई मद पैदा कर दी कि रिग को परमिट मिले और रिम को न मिले। मैं तो अपनी सरकार को यह सुझाव देना चाहूंगा कि जो भी ट्रक टाय काम कर, उस को नेशनल परमिट दिया जाय ताकि करशन का नया रास्ता खुला न पाये।

इन्होंने कहा है कि पिछले साल में इन्होंने बहुत ज्यादा एक्मपोर्ट किया है। डिप्टी स्पीकर साहब, अगर ये मिनिस्टर पार्टीकल बने हुए माल को एक्मपोर्ट करते तो हम बच्चा

[श्री यशवंत शर्मा]

लोगों के पास शिकायतें हैं, वे सब इन मायोगों के पास आये। जैसा कि मेरे मित्र कवरलाल जी ने कुछ व्यक्तियों के विरुद्ध सदन का ध्यान दिलाया है, निश्चित रूप से कुछ व्यक्तियों के विरुद्ध भी लोग के पान शिकायतें होंगी। ऐसे व्यक्तियों के विरुद्ध शिकायतों को सुनने के लिए भी जांच मायोग स्थापित किया जाये। मैं यह सब किसी व्यक्ति के विरोध में या बदला लेने की भावना से नहीं कह रहा हूँ। मैं यह सब इसलिए कह रहा हूँ कि छोटे देश के अन्दर भ्रष्टाचार बहुत बढ़ा है और उसने हमारे जीवन को चाट डाला है, हमारी क्षमता को चोट पहुँचायी है। इसलिए यह आवश्यक है कि आ पाप हुआ है वह लोग के ध्यान में आए और उस पाप के निराकरण का हमारा प्रयत्न भी लोगों के सामने आये। इसी दृष्टि में मैं यह आग्रह कर रहा हूँ।

उदाध्यक्ष महोदय, आज देश के अन्दर मजदूरी की समस्या है। एक तरफ भुखमरी है और दूसरी तरफ बेरोजगारी है। मैं अपने देश के माननीय प्रधान मंत्री जी और कृषि मंत्री जी को यह कहना चाहूँगा कि देश के अन्दर जो नियोजन हो वह श्रमिकों पर आधारित नियोजन हो। ग्राम हमारे देश के प्राण हैं, देश की अर्थ व्यवस्था ग्रामों की अर्थ व्यवस्था पर निर्भर करती है, वे ही रैन्ड विन्दु हैं और अगर देश की 62 करोड़ जनता के लिये अन्न चाहिये तो वह गांवों से खेता से आता है, सीमा की रेलमार्गों के लिए जवान चाहिये तो वे गांवों से आते हैं। मजदूरों की पत्नियाँ घरों के लिए मजदूर चाहिये तो वे गांवों में आते हैं। पूरा भारत गांवों में बसता है। इन धर्मशालाओं में तो चूड़ियाँ गांवों में रोटी नहीं मिलती है इसलिए हम गांवों में बसेरा लेते हैं लेकिन वास्तव में भारत गहरी में नहीं गांवों में बसता है। यह बात मैं अपनी बुद्धि में नहीं कह रहा हूँ। पञ्चम वर्ष पूर्व राष्ट्रपिता महात्मा गांधी ने भी कहा था कि नियोजन गांव प्रधान होना

चाहिये, ग्राम प्रधान नियोजन में अति उत्तम प्राथमिकता, अति उच्च प्राथमिकता होती को दी जानी चाहिये। किसान को अपनी खेती के उपयोग में आने वाले जितने सपत्त हैं, उपकरण हैं वे सब रियायती दरों से मिलने चाहिये, खाने वाली को जितना अन्न आज मिलता है उतना मिलता रहना चाहिये और जिस दम पर आज मिलता है उसमें भी सबसे दामों पर अन्न दिया जाए तो बहुत आनन्द की बात होगी और अगर ऐसा नहीं हो सकता है तो आज की कीमतों में एक नए पैसों की भी वृद्धि नहीं होनी चाहिए, एक नए पैसों की अधिकतर पर नहीं मिलना चाहिये। यह मापफो करना पड़ेगा। हमारे मित्रों ने जो पाप किये हैं उनको हमें धोना पड़ेगा, प्रेतों के पापों को हमें धोना पड़ेगा और इस काम में मुझे सयता है कि उनका सहयोग भी हमें प्राप्त होगा। जिन हाथों ने पाप किये हैं उन हाथों की उगलियाँ तो नहीं काटी जाती हैं। लेकिन इन पापों को हमें धोना पड़ेगा।

जहाँ तक बेकारी की समस्या का सम्बन्ध है मेरा निवेदन है कि हम विवेकपूर्ण अर्थ व्यवस्था का सहारा लें, मास प्रोत्थन कर लेकिन प्रोत्थन बार्ड मसिब के सिद्धान्त को भी ध्यान में रखें। जहाँ पैदावार बढ़े वहाँ पैदा करने वाले हाथ भी बढ़ें। मैं समझता हूँ कि ग्रामों में खेती प्रधान या खेती में जोड़े हुए छोटे छोटे औद्योगिक रैन्ड स्थापित हो तो अत्युत्तम होगा। यह बहुत जरूरी है।

कुछ कर्मचारियों की घडाघट छटनी हो रही है। बेकारी इस हद तक बढ़ चुकी है कि पिछले पाच छ साल से सरकार ने उसके आवेदों की देने बन्द कर दिए थे। इस वास्ते सही माकदों का कुछ पता नहीं है। मोटे तौर पर 40 से 60 प्रतिशत के बीच आवेदों दिया जाता है और बताया जाता है कि इन्हें मोंप मरीची के स्तर में नीचे हैं। मैं इतना ही निवेदन कर देता चाहता हूँ कि जो लोग काम पर लगें हुए हैं वे काम से हट न जाएँ और जोरों पर आवेदों को न हो जाए इसकी

व्यवस्था आपकी करनी चाहिये । देश की राजनीतिक शांति की दृष्टि से भी यह बहुत आवश्यक है । कर्तव्यपालन की दृष्टि से भी बहुत आवश्यक है कि आप इस ओर ध्यान दें । उनवादा में सतलुज ब्यास लिक प्राजैक्ट चल रहा था । वहाँ से दस हजार कामगार छंटनी हो चुके हैं । एक बड़ा भारी ताँता चल रहा है । चीन ईम अभी तक विचाराधीन था । आज तक जा सरकार भी वह सभी काम राजनीतिक दृष्टिवाण से करती रही है । वहाँ पर तोहा फेंका हुआ है, सीमेट के लिए गैड बना हुआ है । उस में सीमेट है या किसी की भैंसे बघी हुई है यह देखने का विषय है । लोगों की आँखों में धूल झोवने और बाजीगर की तरह से चालाकी दिखाने से काम नहीं चल सकता है । पिछली सरकार की यह एक राजनीतिक प्रवृत्ति बन गई थी, स्वभाव बन गया था और उसने मुताबिक वह सब काम करती थी । मैं समझता हूँ कि चीन ईम के काम को तत्काल हाथ में लिया जाना चाहिये । चीन ईम के जो कर्मचारी सेवा नियुक्त हो गये हैं उनको छपाने के लिए ही नहीं जरूरी है बल्कि इसलिए जरूरी है कि देश की भुखमरी की समस्या का निवारण किया जा सके । उसने लिए यह बहुत आवश्यक है । उसको प्राथमिकता दी जानी चाहिये । इस सिद्धान्त को सरकार मान चुकी है । अब केवल उसको कार्यान्वित करना ही मयान है ।

पिछले बीस वीस महीना में बहुत कुछ राजनीतिक कारणों से हुआ है । बोनस के सवाल की आप सँ । पढ़ने हुइताल्ले भडकाई गई । डेड सी वर्प पूर्व विश्व के घरातल पर मजदूरों के अधिकारों की रक्षा के लिये उनसे सगठन बनाने के सिद्धान्त को स्वीकार किया गया था । सगठन व्यवस्था को एक बुनियादी अधिकार स्वीकार किया गया था । सरकार ने उसको समाप्त कर दिया था । मैं कहना चाहता हूँ कि जा बोनस कानून था जो नेदर था या उगी का बहाल किया जाए और यह काम तत्काल होना चाहिये ।

घाटीवाल की मिल के ऊपर चार हजार मजदूर पिछले पच्चीस दिनों से हड़ताल के रूप में बैठे हुए हैं । और उनकी समस्या बस बोनस की है । मालिक का मुनाफा बढ़ रहा है, लेकिन मजदूर को अपनी भाय के मन्दर जीना कठिन पड़ रहा है । इसलिए मेरी माँग है कि पुराने बोनस कालन को तुरन्त बहाल होना चाहिये । आशा है कि आप मेरे द्वारा उठाई गई तमाम चीजों का अध्ययन करके और शीघ्र समुचित कार्यवाही करेंगे । आपने चूँकि घटी बजा दी है इसलिये मैं अपने समय पर कायम रहूँगा, और यदि मूस से प्रतिभमण समय का हो गया हा तो मैं उससे लिए धमा चाहता हूँ । धन्यवाद ।

MR. DEPUTY-SPEAKER Dr Henry Austin

SHRI S KUNDU (Balasore) Before the Member starts, Mr Deputy Speaker, I beg to submit most respectfully that it would be very helpful if you could announce some of the names in the list so that those who are to be called will be ready. Nobody knows when his name will be called. You may please read out at least half a dozen names.

MR. DEPUTY-SPEAKER The normal procedure in the House would have been for the Whip to submit the list and also inform the Members as to when their turn would come according to the priority in which he has given. But considering the fact that this House consists mostly of new Members there has been some dislocation, I suppose, in the functioning of the whips etc. We shall have to put up with this for a little while till the whips are elected and all that. I am receiving a number of chits from even Members whose names have not been submitted by the Whip.

SHRI S KUNDU My point was different. What I meant was.

MR. DEPUTY-SPEAKER I understand your point. It is the duty of the Whip to inform the Members as to when their turn would come. I can-

(Mr Deputy-Speaker)

not read out the names There is no such procedure

SHRI A V P ASAITHAMBI (Madras North) I am the lone representative of the DMK I have no whip

MR DEPUTY SPEAKER I know who is who You do not have to press that point

श्री उप सेन (पिप) उपाध्यक्ष महोदय, मेरा एक व्यवस्था का प्रश्न है। कल जब हमारे माननाय रामनरस कुमाराहा खड़े हुए थे तो आपने कहा था कि मैं बोल दियेगा। श्रीर आज उनका नाम नहीं दे।

MR DEPUTY SPEAKER If Mr Raj Naras had not spoken for one and a half hours we could have accommodated some more Members on that day He spoke for one and a half hours So there was no time

जो निश्चय मिनट है आपका विषय से उगी के अनुसार बुना रहा है।

श्री उप सेन हमारा हज कैसे बट जायगा।

उपाध्यक्ष महोदय यह कोद हज की बात नहीं है। आप अपना विषय से बात कर लीजिये श्रीर नाम भिजवाइय।

SHRI S KUNDU Some of the Members have been waiting for the last two or three days thinking that at any moment their names may be called To avoid this tension and also to help the Members I thought

MR DEPUTY SPEAKER I will send round somebody

SHRI S KUNDU That will be fair

SHRI RAM JETHMALANI (Bombay North West) We want to know whether the Chair is so above our request that it cannot read out that

simple list to us Is it a matter of dignity or something else?

MR DEPUTY-SPEAKER I do not want to read out the list An Hon. Member was just now insisting on his right because I had said that he would be called on that day If I read out the list now you will start insisting on your right, after one hour that you must be called That is not the procedure in the House Probably the hon Member does not know Therefore I cannot read out the list Maybe somebody may go round and inform the Members to be present in the House I have already said that

श्री राम नरस कुमाराहा उपाध्यक्ष महोदय, मेरा कहना यह है कि एक बार एक सदस्य का नाम पुकार लिया गया श्रीर उसका बिना बोले ही

उपाध्यक्ष महोदय - आपका नाम बोलने के बिना पुकारा नहीं गया था।

DR HENRY AUSTIN (Ernakulam) Mr Deputy Speaker Sir may I extend my felicitations and warm greetings to all my colleagues in the Sixth Lok Sabha particularly those of my colleagues who have come for the first time to this august House This election has brought a certain change in the country which is reflected in this House I see that some of my colleagues in the Fifth Lok Sabha who were in the opposition have now occupied the Treasury Benches and assumed responsibility for running this Government Of course the ministerial team is being led by one of our veteran leaders with whom I have worked in our Party for a long period I wish him and his team all success in giving proper direction to our country

Sir I should respectfully submit that I cannot fully agree with the statement made in the Address by the Vice

President acting as President that

"The election marks an important milestone in the evolution of our democratic polity into a healthy two party system"

It is common knowledge that the Congress Party had been able to provide the country in the last three decades a stable Government a Government based on the belief widely held by our compatriots that it symbolised the national aspirations bringing cohesion in the country But today to say that the last elections have helped to create a healthy—I underline the word 'healthy'—two party system is less than fair and objective As I see it it is perhaps only the beginning of the realisation of the hopes of the people that a two-party system will emerge in our country What I want to say is that the ruling side is not another party, it is a coalition of several parties with us solid political infrastructure One of the greatest achievements of the Indian National Congress when one compares that Party with any other party in any part of the world is that it has tenacity and unity in almost every village of our country It may have been defeated once or twice in the polls but the fact remains that its organization and infrastructure are solid throughout the country On the other hand the various parties opposite which call themselves as Janata Party may have their representatives in the Parliament But they have not yet emerged as a party I wish success to all my colleagues on the other side in their efforts to bring cohesion by merging the various parties that go to constitute the Janata Party I shall be very happy if you could achieve that Pending that I should say that we are facing a coalition on the other side By this process you are inducting into our body politic a system of coalition government in the Centre for the first time Therefore, the statement that a healthy two party system has emerged is far from true And coming as I do from a State where we have experimented with all sorts of political

arrangements, I do not know whether that system will be helpful or not in the long run Sir, I am not least worried that I have to sit in the opposition Even from the first few months after the formation of the Kerala State my Party had to go in opposition but we never became panicky In hardly two years time we reversed the process and that Party which came to power in 1957 was routed by the people Hardly thirty of their MLAs in a House of 133 Members came back to the Legislature. This is now a recurring of political process in Kerala As everyone knows, representatives of every major party became Chief Ministers in Kerala We acknowledge it as a part of the democratic process in Kerala. So, I am least surprised by the recent turn of events at the centre I would, therefore like to say that that statement is not objective and I wish that statement were not made

When the euphoric mood of my friends on the other side withers away and when the ruling party comes to grip with the realities of the political situation, I have no doubt in my mind that they will have fresh thinking on the system they have now brought into our body politic whether the coalition pattern is suited to our country or whether it will ensure to the credit of our great country which has complex and diverse problems considering its multi-lingual, multi racial, multi religious composition I think a lot is said about the undoing of what the previous regime has done It is perhaps quite natural for a victorious party with a thumping majority to try to undo certain decisions of the previous regime But even as you think that you should undo certain so-called alleged wrongs of the previous regime I think it is incumbent on the ruling party to examine whether the previous government has not done any good to the country and whether it is not their responsibility to continue the good works that the previous

[Dr Henry Austin]

had done during the last 11 years or more

13 hrs

SHRI SATISH AGARWAL (Jaipur) Whatever is not undone you consider that it is good

DR HENRY AUSTIN If you think that anything is not good, you remove it. But you should justify it to the country and the public opinion as well.

Nobody can deny the fact that the country had acquired a certain modicum of self reliance, self discipline and self confidence during the last 10 years or more or even during the emergency. I do not hold a brief for the emergency or the excesses during the emergency. But nobody can deny the fact that the country faced a certain situation on the eve of the imposition of emergency that even some detractors of the previous regime felt rather grave.

SHRI SAMAR GUHA (Contd.) Don't say that. It was only to save the skin of one person that you imposed the emergency, nothing else.

DR HENRY AUSTIN My good hon. friend has the liberty to hold a different view. But I say that certain serious conditions obtained in our country which even my friends from the other side would not wholly deny.

SHRI SAMAR GUHA When you try to defend emergency at least remember that millions of people suffered and you got the result of it and you still have the check to defend emergency. It is very strange. You call the Janata Party a strange animal and you are the strangest animal. Otherwise you could not have the check to defend emergency.

MR. DEPUTY SPEAKER Let him have his say. You can have yours.

DR. HENRY AUSTIN I sympathise with the sufferings of esteemed friend who has gone through and I admire his courage and the restraint he has shown. I raise my hat in admiration.

SHRI HARI VISHNU KAMATH You have no hat.

DR HENRY AUSTIN There might have been excesses and there might have been cruelties but the fact that certain grave conditions existed in the country at that time should not be lost sight of. That is all I wanted to say.

AN HON. MEMBER It was in the imagination of your former Prime Minister.

DR HENRY AUSTIN What I say is that in the heat of our excitement we should not forget that our country perhaps needed a strong leadership at that time. There may be excesses. We may look into it later.

Whatever one might say, whatever the detractors of the Congress regime might say, I would like to point out that we have done some good and that good should be continued. Can the Janata Party or the detractors of our government say that millions of our poor farm hands and landless people were given land just as a political stunt?

May I continue after lunch?

MR. DEPUTY SPEAKER Your time is already over. You have to wind up now.

DR. HENRY AUSTIN Therefore I would only like to say that even as we try to expose or criticise some persons and actions, we may also consider the positive aspects of the Congress government and try to continue whatever good there is according to them.

Our country needs a certain bipartisan work in constructive work in the development work and I am sure there are leaders in the ruling party who can rise up to that, and clasp the hand of cooperation offered by the opposition for the good of the country.

I will take one more minute and finish. There has been an emphasis in the Address on rural reconstruction. I think that it is vital for the development of our country. I would say that

there are ample opportunities for developing our country particularly on the rural side. I am glad that there will be added emphasis on developmental work in the rural sector. I would like to say that the vast unutilised labour in our country should be tapped and used for a massive Rural Reconstruction Programme giving at least a ray of hope to all the rural poor.

13 06 hrs

The Lok Sabha adjourned for lunch till Fourteen of the Clock

The Lok Sabha reassembled after lunch at three minutes past Fourteen of the Clock.

[MR DEPUTY SPEAKER in the Chair]

**MOTION OF THANKS ON THE ADDRESS BY THE VICE PRESIDENT ACTING AS PRESIDENT—
Contd**

SHRI RAM JETHMALANI (Bombay North-West) Mr Deputy Speaker Sir I have got amendments Nos 124 to 133 tabled in my name. I would submit with great humility that I am almost an unknown back-bencher. In all humility and very respectfully but firmly I wish to record my protest against the manner in which time is allocated for the speeches on this Motion of Thanks. The Mover took one hour. The Seconder took 75 minutes. Thereafter almost everybody who spoke has taken as much time as he wanted. And suddenly we have been told of the decision that no speaker will be allowed more than 5 or 10 minutes. And today we have been told that it has been curtailed to 7 minutes. May I say Sir that Motion of Thanks and its amendments are matters of great importance in the life of a Parliament. They are matters of greatest importance to back-benchers particularly. The scope of the Motion of Thanks is supposed to be the entire administration. If a Member has to

exercise his parliamentary right how is it possible for any member to restrict his comments to 5 minutes or minutes? I have tabled 10 amendments. If I were just to take 30 seconds on each it will take about 15 minutes. Do you expect any serious submission to be made during this little time that has been allotted?

MR DEPUTY-SPEAKER You have already taken a few minutes.

SHRI RAM JETHMALANI Mr Deputy-Speaker Sir I would rather not speak but I do wish to suggest that in England thirty-five hours minimum is devoted to the motion of Thanks. England is a much smaller country than ours. Besides in England there is greater respect for the rules of relevance than in this House. If you are allocating this much time I suggest that you have a talk with the Leaders of the ruling party and the Opposition and then extend this session so that everybody has an opportunity to speak on the Motion of Thanks which is undeniably of great importance.

The second point on which I wish to make my preliminary comments is the manner in which the proceedings of this House are being conducted. Sir this Janata Party is a majority party in this House and I wish to say something first to my party and then to the members of the Opposition. It is true that thumping of tables and interruptions of the speeches are a part of Parliamentary life. But it is my regret that instead of their being a part they are beginning to become the whole of our Parliamentary life. And we who are new to this House must confess that it is impossible even sometimes to follow the proceedings of this House and therefore I would request particularly my party colleagues on this side to see that the proceedings are conducted with a tremendous amount of dignity because the whole world is watching this Parliament and the whole world

[Shri Ram Jethmalani]

is watching the performance of the majority party to-day May I say this that I am convinced of the fact that our parliamentary manners are any day superior to those of many others But we have to demonstrate to the world that they in fact are so and therefore may I request both sides of the House that the speeches must not be interrupted as far as possible? I can understand when a Member is delivering a punch-line of his speech if somebody who is emotionally upset indulges in that kind of behaviour But if there has to be a reasoned argument to persuade of the other side the speeches must be listened to with great respect and attention

Then Mr Deputy Speaker, Sir I shall proceed to deal with the various amendments It is unusual for a member of the ruling party to move amendments to the Motion of Thanks But it is also a recognised convention that the back benchers have always the right to move amendments and in exercise of that right as a back-bencher I am moving these amendments But, let me make it clear at the same time that I am doing so more with a view to make some constructive suggestions to my own Government Let not the Opposition—those distinguished gentlemen sitting opposite—not run away with the misconception that I am condoning the crimes which have been committed by the Opposition party—the ruling party during the last few years that they were in office In fact the purpose of my intervention in this debate is to tell my Government that the speed and haste with which this Government has been formed and the business of this House has to be attended to it is not sufficiently alive to the dangers to our ten day old democracy

MR DEPUTY SPEAKER Mr Jethmalani I am told now that the time for moving the amendments was announced by the Chair and it

was over on 31st So the time for moving your amendments is now over You can however speak on your amendments

SHRI RAM JETHMALANI The amendments were not moved but they were taken as moved and accepted

MR DEPUTY SPEAKER Did you move the amendments?

SHRI RAM JETHMALANI You were not there in the Chair

MR DEPUTY SPEAKER The Secretariat tells me that you were not there then.

SHRI RAM JETHMALANI It was not necessary to formally move the amendments But they were taken as moved

MR DEPUTY SPEAKER No Was that the understanding?

SHRI RAM JETHMALANI Mr Deputy Speaker Sir if I receive suitable assurances from my own Government that the matters which I am going to raise will be considered hereafter I shall not persist with my amendments and I shall withdraw them

MR DEPUTY SPEAKER Mr. Jethmalani I am sorry to interrupt you The Speaker made this announcement on 31st to the hon Members If hon Members wish to move amendments to the Motion of Thanks that have been circulated they may if they so desire to move amendments send slips to the table within fifteen minutes indicating the serial numbers of the amendments they would like to move These amendments will be treated as moved It seems your slip never came That is what they say

Anyway you may speak on the amendments

SHRI RAM JETHMALANI Sometimes we are unable to follow what is happening here It may be possible

Mr Deputy Speaker, Sir the first amendment that I wish to move was

That the House regrets that the Address has not dealt with immediate steps to restore judicial independence and integrity in particular by neutralising Judges who have played an unjudicial role in supporting the Emergency and those who were trying to destroy Indian democracy"

It is well to recall Sir that in 1971 the Ruling Party started the theory of 'committed judiciary in the country. We who knew the dangers of a 'committed judiciary' realised at that time that the ruling Party had decided to become the only Party in the country and to destroy democracy and the rule of law because an independent judge and an honest judge is ultimately of use to the underdog to the weak and to the Opposition and never to the ruling Party and therefore when they talked of a 'committed judiciary' we knew that by the inexorable electoral process they had no intention of ever becoming the Opposition in the country and that is why they wanted a 'committed judiciary'. We started our fight against this. We started a national debate. But in 1973 you will recall that a Chief Justice was inducted into office by superseding three senior Judges of the Supreme Court. Judges to whom ultimately monuments will have to be erected some day in this country to honour their memory to preserve their memory and I think the people of this country will have to worship those Judges who were superseded. You will recall that the Chief Justice was created by a person who was a potential litigant in the Supreme Court. At that time the Prime Minister's matter was pending before the High Court and it was on the cards that some day the matter will end up in the Supreme Court. We protested that no future litigant in the Supreme Court has a right to tinker with the constitution of that court before which

the matter of that litigant was going to appear and it came to be true, it proved to be prophetic.

The Chief Justice presided over the hearing of the appeal filed by the very person who had inducted that Chief Justice into office.

Sir Article 121 of the Constitution prevents me from going into the conduct of a judge in the discharge of his duty. I can only recall events. In April 1976 may we recall that the Supreme Court delivered a judgment. To my mind the judgment delivered was such that any judge must feel ashamed before he puts his signature upon it. Did it not say that the order of detention however mala fide however malicious and however corrupt cannot be challenged before a court of law so long as the Emergency was in force.

At this point Mr Deputy Speaker I wish to digress a bit. Our High Commissioner in London Mr B. K. Nehru in a signed article on the 12th of January this year only six days before the elections were announced published in *The London Times* called the Keshavananda Bharati judgment of the Supreme Court an 'infamous judgment'. The Keshavananda Bharati judgment was a judgment which merely said that the Parliament by its majority cannot convert India's democracy into a monarchy cannot destroy democracy and substitute a dictatorship. This simple judgment this great judgment this historic judgment of the Supreme Court was characterised by Mrs Gandhi's High Commissioner in London in a signed article as an infamous judgment. I wish to ask: When has it become permissible for our diplomatic representatives in foreign countries to abuse our Supreme Court judges and criticize judgments intemperately delivered by the Supreme Court? This gentleman ought to be recalled forthwith. This gentleman has harassed every patriotic Indian residing in London and he is the author of that document, the dictatorship of

[Shri Ram Jethmalani]

which is now being disowned by the then ruling Party a document which was circulated throughout the country in the form of Draft constitutional proposals. Those constitutional proposals when they were seriously debated by the country and condemned all over the country were dropped and today even their authorship is denied. But the world knows that Mr. Nehru was the author of those constitutional proposals. They were quite disgraceful. The Prime Minister of the country was to be the head of Indian judiciary under those proposals. This Mr. Nehru ought to be publicly condemned and the least that the government ought to do is that he must be made to face an enquiry.

While judges in this country were being transferred for extraneous reasons the Gujarat High Court held that the President's order of transfer of a Gujarat Judge was a *malafide* order—in a signed article again he told the British public that no judge had been transferred in India except two judges and both those judges had been transferred because they were to be promoted as Chief Justices in other High Courts. When I went to London my friends brought this to my notice and told me this is that the British High Commissioner has stated I had to write an article in the Guardian of London pointing out that 35 Judges had been transferred. I gave their names and the High Courts from which they were transferred. I told the High Commissioner that he was lying in writing to the British public. After that the High Commissioner had no bridle the moral courage to go before the British public and set the record right. This is another charge against this High Commissioner he ought to be recalled for having lied to the British public.

There is not one leader of this country—I am not talking of those leaders in the opposition, I am talking of the great patriots of this country who had been in jail and who

suffered for the cause of the Indian independence movement for the last 19 months—who has not been maligned by this High Commissioner either on television or on radio or in the Press or through public interviews and I think he deserves some punishment for that.

I say that the most historic judgment which the Supreme Court has ever delivered is the Keshavanand judgment which says that you cannot convert democracy into a dictatorship. High Commissioner has no adverse comment against the judgment delivered by the present Chief Justice in which he holds that you can shoot down a detenu or a prisoner, starve him to death or put him on an ice pack and subject him to third degree methods. Presumably he considers this judgment good and famous.

Let me say that this last judgment was delivered after the elections were announced in this country. Elections were announced on 18th January. I heard the News in New York, I said it publicly that the test of Mrs. Gandhi's so called democracy is about to arrive in the next three or four days. Justice Khanna has now to become Chief Justice of this country. If Mrs. Gandhi has got the lamp of democracy rekindled in her heart, she is not going to interfere in this matter but will allow the judiciary to remain intact. Within four days Mrs. Gandhi's government failed that test she again interfered with judicial promotions. She again tinkered with the Supreme Court and appointed a person as Chief Justice by way of reward for a bad and cruel judgment.

I wish to say to this House that the independence of the judiciary and the purity of the fountain of justice can never be restored as long as this Chief Justice continues to occupy that position. This government will not stoop to removing a judge from office. But let me say that the government

must make it clear to the Chief Justice that he is an unwelcome occupant of the chair and the sooner he goes, the sooner he will please the government and the people of this country. If after this statement formally and publicly made he continues to remain in office let him do so we will have cleared our conscience and done our duty by the judiciary of India and we shall have carried out the pledge which we have made in the manifesto that restoration of judicial independence shall be one of its chief items.

During the period of emergency the Congress Government has transferred judges for extraneous reasons and those judges must forthwith be recalled to their original homes from which they were shifted to punish them for delivering judgements against the government. I can recall Justice Lalit of the Bombay High Court who had the moral courage to release an RSS prisoner charged under the Defence of India Rules on bail. In doing so he did not lay down a new proposition of law; he followed the ruling of the Division Bench of that High Court which was binding upon him. When he released that RSS person on bail the Government of the day saw to it that he was confirmed after two years and today that man is no more a Judge of the High Court. He is practising in the Supreme Court. And we cannot set right the judiciary and the judicial tone unless we recall such great and patriotic judges and offer them fresh judicial appointments.

SHRI C M STEPHEN (Idukki)
Sir, I have a point of order. I will only invite your attention to Article 121 of the Constitution. Article 121 of the Constitution states as follows:

'121 No discussion shall take place in Parliament with respect to the conduct of any Judge of the Supreme Court or of a High Court in the discharge of his duties except upon a motion for presenting an address to the President praying

for the removal of the Judge as hereinafter provided."

Now a reference is being made to the Judge of the Supreme Court, to the Chief Justice of the Supreme Court, specifically referring to their conduct in the discharge of their duties and even going to the extent of saying that unless those judges are removed, ends of justice will not be met. This is gross violation of the Article 121 of the Constitution and I will pray that these observations may not form part of the debate.

SHRI RAM JETHMALANI Article 121 talks of the judge in the discharge of his duty. When Mr Justice Beg, appeared on the TV of this country and proclaimed that the Emergency was good and that it had produced beneficial results, he was not discharging his duties.

SHRI C M STEPHEN He was making a reference to what was stated in the TV which referred to the conduct of the Supreme Court Judge sitting as a judge there.

MR DEPUTY-SPEAKER He has already accepted it.

SHRI RAM JETHMALANI Then four days after the announcement of Elections, he became the Chief Justice (Interruptions)

श्री मानू कुमर साहू (उदयपुर) .
जिस समय गोखले साहब सुप्रीम कोर्ट पे
जजो तब वो घमडिया दे रहे थे उस समय तो
बोले नहीं लेकिन आज जब सच्ची बात
कही जा रही है तो उनको घाय मुनने के लिए
तैयार नहीं हैं (व्यवधान)

SHRI RAM JETHMALANI Taking advantage of the Emergency, the ruling party destroyed the independence of the Bar. It is well known and it is a fact which is recognised the world over,—I am talking of the free world—that the Bar of this country has played the most glorious role in

Jethmalani]

India's freedom And therefore Mrs Gandhi's Government knowing that the only obstacle which stood in the way of establishing her dynastic rule in this country was an independent and fearless Bar She set out on a course calculated to destroy the independence and fearlessness of the Bar taking advantage of the Emergency taking advantage of the fact that they had tyrannised their colleagues in Parliament taking advantage that there was no Opposition left rushed through Parliament amendments to the Advocates Act The Advocates Act has been passed on the recommendation of the Law Commission of India which recognised the autonomy of the Bar with total independence even from the judiciary of the country The amendments which were made during the Emergency inflicted and foisted a nominated Chairman upon the Bar Council of India The Attorney General became the Ex-Officio Chairman of the Bar Council of India in place of an elected Chairman Sir I have had the honour of being for six years the elected Chairman of the Bar Council of India and while I was abroad they did not elect another Chairman because they did not have the courage to elect another Chairman They knew that the Bar was so independent that they would not select another person in my place, then they went to Parliament and prostituted the parliamentary process by passing these amendments and imposing the Attorney General upon the Bar of this country at the Central level and at the State level they imposed Advocate-General as the *Chairman of the State Bar Councils* You will be amazed that in the Delhi Bar Council where there is no Advocate-General, there was a very extraordinary provision made The extraordinary provision was that a nominee of the Central Government shall become the Chairman The nominee could only be a nominee of the Law Minister It is well known that during the emergency if there

was one member of the bar who had disgraced the robes of the profession It was Mr Lalit Bhasin who had been at one time Chairman of the Delhi Bar Council Mr Gokhale saw to it that he became the nominated Chairman of the Delhi Bar Council after it had passed a no-confidence motion against him So my second amendment says that steps must be taken to reveal the amendments to the Advocates Act which had been made during the emergency and we must restore the elected office of the Chairman of the Bar Council of India as well as the Chairman of the State Bar Councils That is the only way the autonomy and independence and fearlessness of the Bar can again be restored to their pristine glory

My third amendment refers to the role of the Attorney General of India in destroying an independent bar He has fortunately resigned and therefore I do not wish to make any comments upon what he has done to destroy the independence of the bar But I would like to say that in selecting our future Attorney Generals we must adopt some criteria One criterion is that apart from his ability to stay in that office other things being equal we must appoint people who during the emergency had the moral courage to go to the people and say

We must fight the emergency We consider emergency to be an unmitigated evil and we are wedded to the Constitution of India" Only such persons should be appointed to high legal offices and not others who did not have the moral courage to open their mouth whatever might have been their inner feelings which they might have disclosed in private to their close friends

My fourth amendment deals with the anomaly of continuing to keep under detention without trial persons who are alleged to have committed some crime but which has not been proved This is contrary to the basic concept of the rule of law Though we have released persons detained

under MISA there is another hated law on our statute book. Freedom, Sir is in grave danger when an evil law is applied for a beneficent purpose because the human mind gets attuned to the evil and does not resist the insidious and slow encroachment on liberty. COFEPOSA is a law which has been made ostensibly for the purpose of detaining smugglers. Detention without trial of any person who is not proved to be guilty is an evil. The Supreme Court—before Mrs. Gandhi interfered with it—has laid down time and again that the rule of law ends where detention without trial begins. They said it not only in the case of political prisoners but also in the case of other offenders. There is a fallacy involved in the argument that we are dealing with smugglers. You are dealing with only those who are alleged to be smugglers. It has not been proved that they are smugglers. I will give you two glaring misuses of the law. In Punjab an opposition Akali leader was detained under COFEPOSA merely because he was the political opponent of the Chief Minister of the State. Let me tell you something more which will shock you. While Haji Mastan was in jail the Director of Revenue Intelligence sought an interview with him in jail. This is on Sessions Court record and I have said it in public meetings. Nobody has denied it. The Director of Revenue Intelligence sought an interview with him not for interrogating him but for recording of his statement in which he was expected to implicate the present Prime Minister of this country in act of smuggling. When I cross-examined the Director of Revenue Intelligence in court, he admitted that he had gone to meet Haji Mastan to record his statement in which he was expected to implicate Morarji bhai in smuggling. But the only divergence between Haji Mastan and the Director was that while Haji Mastan said that he came on his own the Director of Revenue Intelligence said that Haji Mastan had invited him. On a point on which there is difference of opinion between Haji

Mastan and the Director of Revenue Intelligence I will accept what the Director of Revenue Intelligence says. But kindly apply your mind and I want the House to apply its mind. I want those gentlemen opposite to apply their mind as to how this COFEPOSA has been mis-applied and is capable of being mis-applied in future. You can haul up any political opponent.

A further paradox of continuing detention without trial of these persons is that most of the big fries have now been let off and only small ones against whom there was no allegation that the emergency was being misused or that it was necessary to detain them for the purpose of dealing with the emergency are rotting in custody for the last so many years. I want to appeal to my Government that this is an evil institution and this evil institution must go. As a result of this evil institution all civilised investigation has come to an end in the country. Nobody wants to investigate crime today. A secret intelligence report is enough to lock up anybody. It is not necessary to do anything further in the matter. No investigation is done and no witnesses are called. In the interest of improving our investigating machinery I want that these detentions without trial should go and people should now be hauled up in regular courts according to the civilised methods of criminal law which are known to the civilised jurisprudence of this country.

The next amendment is of very great importance but I am going to drop it. I go to Amendment No. 129 which says but regret that the Address has not dealt with the urgent need to define by law the privileges of legislatures and to prevent legislative despotism. I hope you will recall that some time in 1961 or '65 there was a serious dispute between the UP Vidhan Sabha and the Judges of the Allahabad High Court. You will recall that a journalist was imprisoned for contempt of the House.

[Shri Ram Jethmalani]

The journalist engaged an advocate and went to the Allahabad High Court and two judges entertained his petition. When the UP Vidhan Sabha came to know about this they issued warrants of arrests against those two judges of the Allahabad High Court. This is legislative despotism and I appeal to the Janata Government majority party that restraint should be put on the majority itself. Our whole Constitution is based on the theory that sometimes even the majority can go mad as in 1975 the majority had gone mad. We can go mad again. Therefore I want the majority to be restrained.

The article of the Constitution says that the privileges of the Parliament shall be such as shall be defined by law. We should now define those privileges by law and we should not leave them in undifferentiated amorphous and vague form that they shall be such as are enjoyed by the British House of Commons on coming into force of the Indian Constitution.

I am sorry that the leader of the opposition is not here. He said the other day that he stands by the 42nd Amendment. I wonder whether he has read that amendment. One of the provisions in the 42nd amendment apart from the fact that it is an outrageous piece of draftsmanship is that the privileges of Parliament shall hereafter be such as the Parliament may evolve. In other words on any occasion the privilege of Parliament shall be such as the Parliament says they are. The mischievous provision is that the Parliament is now retaining to itself the power to arrest judges of this country, a power which was claimed by the Vidhan Sabha in 1964. At that time, there was an outcry throughout the country that the Parliament must sit down and define its own privileges. If the Janata Party does not do it then nobody is going to do it. It will be the first duty of the Janata Party to fulfil its promise of restoring the balance between the people and the judges.

people and the Parliament and the Parliament and the judges. This is an urgent step which has got to be taken.

Now I will take up the last amendment which concerns our foreign policy. In our democracy, the Leader of the Opposition occupies a very important position. In fact, he is supposed to have a lot of weight and it is a matter for everyone to see that our Leader of the Opposition does carry a lot of weight. I do not, therefore, blame him for having valued the President's Address in terms of its weight, because he told the House in his address that it is a very light document. Let me remind him that the most expensive and the most priceless things in the world are those which are extremely light. Weight does not necessarily add to the value of a document. Though the President's Address is light, it incorporates the entire 26 page manifesto of the party because it says that the Government is pledged to carry out the promises made in the manifesto.

One promise in the manifesto which unfortunately finds either no or inadequate mention in the President's Address is the very astounding, very courageous and very historic statement where it says that this country and its government shall not only preserve human rights but shall denounce the violation of human rights not only in this country but wherever and whenever they occur. Now, this is really an amplification of the pledge which we have made that hereafter our non-alignment is going to be genuine non-alignment. It is not going to be spurious non-alignment, which has been started in this country after 1953. Nobody can be non-aligned. If somebody says "I am going to have unalloyed non-alignment", it is unalloyed nonsense and nothing less. We have got to be aligned to some extent. The experience of the last 18th months has shown that if democracy has been restored in this country, it is partly as a result of the pressures generated by democracies abroad, and that debt of gratitude we cannot forget to external

democracies, let us make it clear.. (interruptions) If you wish to educate yourself, please listen, because you have started your acquaintance with democracy only ten days ago

DR HENRY AUSTIN Sir, on a point of order In the President's Address and also in the various statements by the Prime Minister, it was stated that we will have genuine non-alignment How does this hon Member state that it should be alloyed non-alignment?

SHRI RAM JETHIMALANI Genuine does not mean unalloyed Sir, my charge against the previous government is, that during the regime of Shri Chavan our foreign policy has neither been based on international law, nor has it been based on international morality, nor has it been based on national interest, nor has it been based even upon national self-respect All the four pillars of foreign policy have been ignominiously ignored by the ruling party and I want my Government to avoid these pitfalls

MR DEPUTY-SPEAKER He has taken half an hour. He should conclude now.

SHRI RAM JETHIMALANI Sir, I shall bow to your ruling But, let me say this, at least for the future, that when you are allocating time for the discussion on the Motion of Thanks, please be a little more reasonable. I have not come here to listen to Ramayana and Mahabharata

श्री जगदम्बो प्रसाद यादव (गौडा) :
मान ए पापद पाप धार्डर । निस्ती श्री सदस्य
ना यह बहना साबजबननेवन है वि यह
रामायण या महाभारत गुननेने विए नही
माया है । ऐसे सद नही बहने चाहिए ।

SHRI RAM JETHIMALANI: It is my intellectual freedom which I have exercised

MR DEPUTY-SPEAKER His time is up I am calling the next speaker.

SHRI RAM JETHIMALANI Sir, I am resuming my seat in obedience to your ruling, even though I have many more points to deal with

SHRI P. K. KODIYAN (Adoor) Though there was little time for the new Government to formulate their policies, I should say that the President's Address should have given some indication of the direction in which the new Government wants to develop the economy of our country But the Government's Address does not indicate any solutions for some of the pressing problems of our country

The President's Address gives importance, rather high priority, to the rural economy in the whole scheme of the economic development of our country Nobody can have any objection to that but I want to point out here that some of the very basic issues that affect the agrarian economy and the whole lot of our peasants agricultural workers and the toiling masses in the rural areas, like the structural reform of the agrarian economy, have been completely ignored in the Address. I am referring to the urgency of implementing the land reform laws for which the cultivators, tenants and other toiling people of the rural areas have been agitating for the last so many years.

In this connection I have to refer to some of the pronouncements of the top leaders of the Janata Party including the present Prime Minister, during the election campaign that if the Janata Party was returned to power it would take away the Ninth Schedule from the Constitution. The Ninth Schedule gives constitutional protection to land reform laws, aimed at bringing about fundamental socio-economic changes, passed by this Parliament or the State Legislatures The implication of its withdrawal is that millions of peasants who have got occupation rights over their lands and also landless people who have been given land as a result of land reform measures will be drag-

[Shri P K Kodiyani]

ged to the law courts and subjected to litigation. The result will be that these poor people who do not have sufficient beneficial capacity or resources to fight in the law courts will lose their land. There on these pronouncements of the Jan. Party leaders during the election campaign together with the total absence of any reference in the Address to the basic issue of structural reform in the agrarian economy creates apprehensions in the minds of the millions of peasants and agricultural workers of our country that the Janata Party is not at all interested in carrying forward this basic reform which requires the co-operation of all the political parties in this country and all those who are interested in the welfare of the agricultural workers and other sections of toiling people in the rural areas.

Mr Deputy Speaker Sir, the mover of the Motion of Thanks to the President for his Address, Shri Karpoori Thakur had made a reference to the inadequate progress that was made during the Congress regime, during the previous regime in implementing land reform measures. He gave some figures also. He did not express further what the new Government will do or his party would do in order to complete the process of land reforms.

The question of implementation of the land reforms and other items of the 20-point programme were announced during the emergency by the former Prime Minister. I know that the 20-point programme is being pooh poohed by the hon. Members in the Treasury Bench. But you cannot pooh pooh some of the measures included in the programme for the benefit of the rural poor. Instead of the 20-point programme you may give it some other name, but some of the items which were included in the 20-point programme like the minimum wages for agricultural workers, debt relief for poor peasants, agricultural workers, adivasis, Harijans and also the abolition of bonded labour, and such other

measures which were meant to protect the weaker sections of our people have to be pushed forward and implemented. If you are sincere in your profession of love and sympathy for the weaker sections and want to serve them then it is your duty and the duty of every section of this House to carry forward the implementation of those measures which are included in the 20-point economic programme which were meant for the upliftment of the poor sections of the country.

I would like to point out that the President's Address does not give any indication in what manner the new Government would be going to hold the price line. This is a point on which the entire working people are very much agitated. The price line can be held only if there is a country-wide public distribution system through which essential commodities can be distributed to the people at cheaper rates. But I want to point out here that the public distribution system as it is existing today in our country is quite inadequate. The total number of fair price shops that are now existing in our country will serve only 45 million people out of 600 million people of our country. Only in Kerala there is a State-wide public distribution system. In Maharashtra and West Bengal, certain areas have been brought under statutory rationing system. But, taking the country as a whole, the public distribution system at present is quite inadequate. Without building up a country-wide public distribution system which would effectively serve the common people you cannot hold the price line.

Another point which I want to mention in connection with the holding of price line is the question of producing enough consumer goods in the public sector, not to leave it to the private sector because we have seen how the private sector was behaving in the matter of producing consumer goods. For example, take the question of production of controlled cloth for the com-

mon people. As far as the mill-owners are concerned whatever allocation was made they failed to produce the allotted quota of controlled cloth. Therefore I want to stress this point that the Government should come forward and start consumer industries in the State sector so that Government will be in a position to have enough consumer goods for proper distribution among the people.

I also fail to understand what is the policy of the new Government in regard to industrial development. I know the hon Finance Minister while introducing the Budget said that the Budget did not represent the philosophy or the policy or the programmes of the new Government. I do not know what is their philosophy. So far as he is concerned he was a member of the Swatantra Party and his philosophy was that of free enterprise, the freedom to amass wealth for those who are engaged in the industrial and business sector, the freedom for the workers to be exploited, the freedom for the poor people like the cultural workers who are very much suffering from unemployment and under-employment and low wages to starve. If that is the philosophy that this new Government is going to follow then I should say not only our economy will suffer but the concentration of economic power in the hands of a few will continue. The result will be that the disparity of income amongst different sections of the people will go on increasing. Therefore I would request the new Government to consider the question of development of the economy as a whole taking into account the respective roles of the public sector and the private sector in the development of the economy.

The public sector has to be further strengthened. But in their manifesto they have said that there will be no further expansion of the public sector. The public sector has grown into a powerful economic factor in the development of our economy. Its enormous potential can be used for self reliance

and proper development of the economy, for curbing the further growth of monopoly and for controlling market mechanism through entering into the production and distribution of essential commodities in a big way. I would urge upon the hon Finance Minister and also the hon Prime Minister to consider this question seriously.

The previous speaker referred to the foreign policy. He said that new Government will be following a genuine non-alignment policy. I do not know what he means by genuine non-alignment policy. Is it to remain simply or completely neutral when the imperialist powers are trying to sabotage and bring under subjugation economically backward and otherwise newly independent countries? Is it to remain neutral when in the Indian Ocean area military bases are being set up by the Americans and Britishers?

AN HON MEMBER: Soviets also.

SHRI P. K. KODIYAN: The Soviets have denied that they have any military base in the Indian Ocean or they have any intention to set up any such base. For what purpose are the Americans building Diego Garcia base in the Indian Ocean? So much money is being spent. For what purpose are they dumping military hardware in the Persian Gulf area? According to a report about half of the military aid that has come from the United States in the last three years has gone to the Persian Gulf area. The independence and security of countries around the Indian Ocean are being threatened by the continuous military build up and setting up of military bases by the American imperialists. Therefore if you want to serve the interests of the country then our foreign policy will have to be a dynamic one which would firmly oppose such threats. Our country will have to follow a policy of non-alignment with its solid support to the people fighting for national liberation and to the people fighting against racism in South Africa, Namibia

[Shri P K Kadiyan]

and her citadels of colonialism and racism in the African Continent. Please in the name of gentleness of non-alignment policy, don't bring down the image of India. India has today a respectable position in the World, and in the comit of nations and its opinions are heard with respect in world Councils. We have acquired this position because we have in consistence with the principle behind our national freedom struggle, firmly stood by the side of the people who are fighting for freedom, we have stood consistently for world peace and we have consistently stood against military alliances and deliberate attempts to create tension in the international sphere. Therefore I think it will be for the good of country and the people and for India's good name that the new Government follows a policy of non-alignment with support for those fighting against imperialism, neo-colonialism and racism and for those fighting for peace and national liberation.

With these words I conclude

श्री सद्भीनारायण नाथ (बज्रहं) : माननीय उपाध्यक्ष महोदय, माननीय उप-राष्ट्रपति जी द्वारा दिये गये भाषण पर जो माननीय सदस्य श्री कर्पूरी ठाकुर ने हृत्तन्त्रा ज्ञान पर किया है, मैं उस का समर्थन करने के लिए खड़ा हुमा हूँ।

मैं आप के माध्यम से इस सदन में अपने कुछ विचार प्रकट करना चाहता हूँ। अभी मैंने सुना कि माननीय विरोधी पक्ष के कांग्रेसी सदस्य ने यह कहा कि हम से कुछ गलतियाँ हुई हैं लेकिन इस सदन में उन्होंने उन गलतियों का कोई व्योरा नहीं रखा और जब वे व्योरा नहीं रखते हैं तो इस से साफ जाहिर है कि केवलकारी मन से ही वे प्रत्यक्ष गलतियाँ मानते हैं। जो महान् गलतियाँ उन्होंने की हैं उन की सजा उन की मिन चुकी है। माननीय

उपाध्यक्ष महोदय, आप के द्वार मैं कह चाहता हूँ कि अब पिछले दिनों कांग्रेस सरकार ने इमर्जेंसी लगाई थी और जो मानव अधिकार थे, नामांतर स्वतन्त्रताएँ थी, वे छीन ली गई थी और न बोलन की और न कुछ कहने की आजादी रही थी, तो यह पता राज्य था। स्वराज्य लेने के समय, मैं इन कांग्रेसियों की बात नहीं कहता, स्वराज्य लेने वालों से केवल एक ही शीख की बात नहीं गई थी और वह महात्मा गांधी जी ने कही थी कि अगर हमें आजादी मिली है, तो हमें निर्भीक बनना पड़ेगा, हमें किसी से डरना नहीं पड़ेगा और अगर हमारे ऊपर कोई जुल्म या आदमी हो रहा है, तो उसे सहन नहीं करेंगे। इस इमर्जेंसी में ऐसा तात्कालिक चला कि एक आदमी अपने ऊपर हुए जुल्म की बात नहीं कह सकता था और अगर वह उस की कहता तो भीता का भय उसे दिखाया जाता था। इतना भय पैदा कर दिया गया था और ये महात्मा गांधी की दुहाई देने हैं। इस इमर्जेंसी के दायम में हम को जेलों में प्रधान मंत्री इन्दिरा गांधी जी और दूसरे नेताओं के भाषण सुनने की मिलने थे जिस ने यह कहते थे कि देखो हम प्रजातन्त्र के लिए लड़ रहे हैं और विरोधी पक्ष प्रजातन्त्र को खत्म करता चाहता है। इसलिए हम को इमर्जेंसी लगानी पड़ी लेकिन प्रजातन्त्रीय पद्धतियाँ जो थीं, जो हमारा मानव अधिकार थे वे छीन लिये गये। इमर्जेंसी लगा कर वे अपने को समाजवादी कहने थे और समाजवाद की दुहाई देने थे। इमर्जेंसी लगाने ही थीमनी इन्दिरा गांधी ने घोषणा की कि हम उद्योगों का राष्ट्रीयकरण नहीं करेंगे क्योंकि वे जानती थी कि इमर्जेंसी से बुद्धिजीवी और पड़े लिखे विचारशील लोग सख्त नाराज हैं। इसलिए उन्होंने पूँजीपतियों से मदद लेने के लिए उनका पक्ष प्रवल किया और कहा कि हम उद्योगों का राष्ट्रीयकरण नहीं कर रहे हैं।

15.30 hrs

बड़ी बुझाई दी गई कि हम गलन के मामलों में आत्मनिर्भर हो गए हैं, अब हम बाहर से गलन नहीं मगाना पड़ेगा। लेकिन आज भी स्थिति यह है कि हम देश की जरूरतों में मुताबिक पूरा गलन नहीं पैदा कर पा रहे हैं। तीस वर्षों में भी बांद्रस की हुबूमत गलने का प्रबंध नहीं कर सकी जिससे सबको भरपूर भोजन मिल सके। अथवा म प्रधान मंत्री जी और मुख्य मंत्रियों ने फोटो छपे थे। धीरे में मनीषण होने से और उनका चारा और गेहूँ और धान की बालिया दिखाई जाती थी इसकी कागज पर खेती होती है। अगर धरती पर खेती होती तो हम आज बाहर से गलन नहीं मगाना पड़ता। खेती में सब कागज पर की गई उसे धरती पर नहीं उतारा गया। अगर जमीन पर खेती की व्यवस्था कर दी जाती तो यह हालत पैदा नहीं होती। भूमि सुधार कर दिया जाता तो काफी उपज हो जाती। हमारा महा काफी जमीन पड़ा हुई है उसको काम में लाया जा सकता था। 1960 में पूरे हिंदुस्तान की विधान सभाओं में सीलिंग का बान्धन पास किया गया लेकिन आज 17 वर्षों के बाद भी गलने की समस्या बनी हुई है। निकाल कर भूमिहीनों को जमीन देने दी गई है।

उपाध्यक्ष महोदय तीन चीजों की आदमी का सबसे पहले जरूरत पड़ती है। उसने लिए पान का इंतजाम हो। उसने लिए पानी का इंतजाम हो। आज गाँव में यह लग है कि लोग नालों का पानी पीते हैं। तीन-तीन मीन से जाकर उन्हें पानी लाना पड़ता है। आदमी का पहनने के लिए कपड़ा और रहने के लिए मकान भी चाहिए। पूरे मध्य प्रदेश में प्रचार किया गया कि जिनका पान मकान नहीं है उनको मकान बनाने के लिए जमीन दी जाएगी। लेकिन इन

भाषण होते रहे लागे को जमीन नहीं मिली, न उन्हें किसी प्रकार की और मदद मिली।

बता गया कि हमने बहुत मजदूरी को खत्म कर दिया। लेकिन जो मजदूर मुक्त हुए थे उनका काम भी कोई व्यवस्था नहीं की गयी। उनके लिए काम की व्यवस्था होनी चाहिए थी। मैं मानता हूँ कि कुछ सहकारी सं लोगों को बहुत परेशानी थी। लेकिन जो सरकारी सोसायटियाँ हैं उनकी धांधलियों से भी तो आप लोग को मुक्त करावे। इन सोसायटियों के लोग साजिश कर के जो पैसा बसूल कर रहे हैं वह भी माफ होना चाहिए। सहकारी के पैसे से आपने लोगों को मुक्त कर दिया लेकिन जो सहकारी समितियों ने गलतों की या सहकारी बैंक ने साजिश करके पैसा बसूल किया उससे भी आपको मुक्ति दिवानी चाहिए थी।

आज देश में बेकारों की समस्या विशाल रूप में विद्यमान है। चाहे पड़े लिखे लोग हो या बिना पड़े लिखे लोग हा, सबमें बेकारी की समस्या है। कांग्रेस की हकूमत इस हल करने में असमर्थ रही है। कांग्रेस की हकूमत देश में तीस साल तक रही अगर यह चाहता तो इस समस्या को बहुत अच्छे तरीके से हल कर सकती थी।

हम लोग 19 महीने जल में रहे। उसका बजाय हम तीन साल और पाँच साल भी जल में रह सकते थे। लेकिन कांग्रेस सरकार को चाहिए था कि वह जनता के साथ अच्छा व्यवहार करती उसको चाहिए था कि वह उसको प्यार से रखती। लेकिन दोनों बातों में स कोई भी बात नहीं हुई। जनता ने लाख सभा चुनावों में अपना मत प्रकट करके बता दिया है कि कांग्रेसी राज अच्छा नहीं था।

रोक सभा चुनी गई है और राष्ट्रीय सरकार जनता पार्टी की बन गई है। लेकिन

[श्री लक्ष्मीनारायण नायक]

प्रान्तीय म जो सरकारें हैं उन म भी परिवर्तन होना जरूरी है । वहा बहुत ज्यादातिया हुई हैं एमरजेंसी के समय म । उन्होंने बहुत ज्यादा जुल्म किए हैं । मत ही आप कह दें कि मोरारजी वन्दियो पर जो जुल्म हुए हैं, जनता पर जो ज्यादातिया हुई हैं उनकी आप जान कराएंग लेकिन जिन सरकारों ने, जिन प्रान्तीय सरकारों ने जुल्म किए हैं क्या उनके द्वारा सही जान हो सकती है ? मैं समझता हू कि नहीं हो सकती है । इसलिए यह जरूरी है कि विधान सभाभा के भी चुनाव कराए जाए । मध्य प्रदेश के वही विधायक यहां आए । वे यहां आफर प्रधान मंत्री एंव गृह मंत्री महोदय से मिले, वहां की सरकार पर गम्भीर आरोप लगाए और कहा कि वहां की सरकार को समाप्त किया जाना चाहिये । मैं समझता हू कि वहां पर चुनाव होना बहुत जरूरी है । उन चुनाव परिणामों के फलस्वरूप जो वहां सरकार बनेगी वही जनता को धार म दे सकती है वना जनता न प्राराम नहीं मिल सकता है ।

यस्तर का इलाका, आबुघा का इलाका, बुन्देलखंड का इलाका और रोवा का कुछ इलाका ऐसा है जहां न आवागमन के साधन हैं, न रेलवे लाइन है, न वहां उद्योग धंधे हैं, वह बहुत पिछड़ा हुआ इलाका है । मेरी मांग है कि मौजूदा सरकार उस इलाके को चहुमुखी विकास करे और उस पर ध्यान दे । अभी तक कांग्रेसी एकमत राजनीतिक प्रभाव में आकर, दबाव में आकर काम करती रही है गवर्नर की उपेक्षा की गई । मैं चाहता हू कि जनता सरकार इस तरह के जो इलाके हैं, जिन की उपेक्षा की गई है उनकी चहुमुखी उन्नति की ओर ध्यान दे । जह साधन मौजूद हैं, वहां उद्योग धंधे बढ़ बोलें । अभी जगम हाता है । जिसका प्रभाव होता है उसी वहां पर धंधे मोन दिये जाते हैं । ऐसा धन नहीं होना चाहिये । जहां पर

कच्चा माल है, जहां पर बिजली है, पानी है, वहां पर धंधे खोले जाने चाहिये । ताकि देश की गरीबी मिट सके, लोगों को काम मिल सके । चहुमुखी तौर से देश को प्रगति की ओर आगे बढ़ाना ध्यान देना चाहिये, पक्षपात से काम नहीं लेना चाहिये, यही मेरा आप से निवेदन है ।

SHRI MOHANARANGAM (Chengalpattu) Sir for the past ten days, we have been observing that most of the speakers are speaking in Hindi language. We are not in a position to understand.

MR DEPUTY-SPEAKER You have the translation in English.

SHRI MOHANARANGAM The translation of Hindi language in English does not contain everything. The Members are speaking for 5-10 minutes and the translation of that is for two to three minutes or so.

MR DEPUTY-SPEAKER Probably the English version is more precise.

श्री कर्पूरी ठाकुर (समस्त ११) : भोजपुरी में बोलने के बजाय तमिल, तेलुगु, कन्नड में बोलें और उसका अनुवाद हिन्दी में आ जाएगा और उसको हम सुन सकते हैं ।

उपाध्यक्ष महोदय : तमिल में भी आप थोड़ी देर बाद सुन लेंगे ।

श्री० एम० राम गोपाल रेड्डी : (विश्राम-घर) मैं हिन्दी में बोलूंगा ।

श्री कर्पूरी ठाकुर : तमिल में बोलिये, हम सुनेंगे । हिन्दी में अनुवाद तो आ ही जाएगा ।

SHRI ARAVINDA BALA PAJANOR (Pondicherry) Sir, according to the usual procedure, the time is allotted as per the party strength. The Congress Party had its time, and

as far as my Party, Anna DMK is concerned, and we have nineteen Members we must have sufficient time

MR. DEPUTY SPEAKER That will be taken care of

SHRI C M STEPHEN I would like to know what exactly is the apportionment of the time

MR DEPUTY-SPEAKER Actually, there is no apportionment of the time because there was no meeting of the Business Advisory Committee It has, therefore to be done as per the discretion of the chair

SHRI EDUARDO FALEIRO (Mor-mugao) Mr Deputy Speaker Sir I wish to express my appreciation, of some remarks made in his Address by the Vice-President acting as President I would particularly like to draw the attention of the House to the remarks that this Government relies on the power of the people the vitality of the democratic process in India and the deep root that it has taken Sir as a Member coming from the Union Territory of Goa Daman and Diu I would like to put before the House the demand the most cherished aspiration of the people in my part of the country and that is the full-fledged statehood, separate statehood being granted to that territory

15 10 hrs

{SHRI M SATYANARAYAN RAO in the Chair}

That is the demand which arose and which has been growing for the last 15 years and since the time that territory was liberated from the Portuguese

SHRI M RAM GOPAL REDDY May I congratulate you Mr Chairman on your appointment to the Panel of Chairman?
100 LS-4.

SHRI EDUARDO FALEIRO May I remind the House that on 18th December 1961 that portion of land was liberated from the colonial yoke and that became a part of the great motherland and till this day it has remained as a Union Territory I submit that under the constitutional enactments and under the constitutional scheme also which govern us the Union Territory status is not a permanent status It is a transitory temporary status only and some day or the other these people and this portion of land has either to merge in the neighbouring State or they must get separate Statehood

In 1964 as there were controversies among the people of this territory as to whether they should continue as a separate territory or they should merge into the neighbouring States of Maharashtra or Mysore an opinion poll was taken and that opinion poll proved once for all that what the people wanted was not merger with either Maharashtra or Mysore but a separate State of their own This was in 1964 We are now in 1977 and in spite of 13 years having passed the power of the people the will of the people and the most urgent and pressing demand of the people in my part of the country has not been given its due expression.

May I bring to the notice of this House that in the year 1971 a non official resolution brought forward by the Opposition Party the United Goan Party for a separate statehood was passed unanimously and it was accepted even by those who upto last year opposed separate Statehood In 1976 the Maharashtra vadi Gomantak Party the name of which itself shows that they are for merger of this territory into the neighbouring State of Maharashtra brought a resolution in the Assembly for separate statehood and this resolution also was passed unanimously I will not take the time of the House nor will you allow me sufficient time to explain to the House as to what are the advantages political economic and administrative that will accrue to the people who constitute a separate

[श्री लक्ष्मीनारायण नाथन]

प्रान्तों में जो सरकारें हैं उन में भी परिवर्तन होना जरूरी है । वहां बहुत ज्यादातियां हुई हैं एमरजेंसी के समय में । उन्होंने बहुत ज्यादा जन्म लिए हैं । भले ही आप कह दें कि मौला यन्दियां पर जो जन्म हुए हैं, जनता पर जो ज्यादातियां हुई हैं उनकी आप जांच कराएंगे लेकिन जिन सरकारों ने, जिन प्रान्तीय सरकारों में जन्म लिए हैं क्या उनमें द्वारा सही जांच हो सकती है ? मैं समझता हूँ कि नहीं हो सकती है । इसलिए यह जरूरी है कि विधान सभाओं के भी चुनाव कराए जाएं । मध्य प्रदेश के कई विधायक बहा गए । वे यहाँ भाईर प्रधान मंत्री एवं गृह मंत्री महोदय के मिले, वहाँ की सत्कार पर गम्भीर आरोप लगाए और कहा कि वहाँ की सरकार को समाप्त किया जाना चाहिये । मैं समझता हूँ कि वहाँ पर चुनाव होना बहुत जरूरी है । उन चुनाव परिणामों के फलस्वरूप जो वहाँ सरकार बनेगी वही जनता की भारम दे सकती है वहाँ जनता के भारम नहीं भिन्न सकता है ।

यन्तर का इलाका, सावुधा का इलाका, बुन्देलखंड का इलाका और सीमा का कुछ इलाका ऐसा है जहाँ में प्राजायमन के साधन हैं, न रेलवे लाइन है, न वहाँ उद्योग धंधे हैं, वह बहुत पिछड़ा हुआ इलाका है । मेरी माँग है कि मौजूदा सरकार उन इलाकों को बहुमुखी विकास करे और उस ओर ध्यान दे । अभी तक बापेंसी हतमत् राजनीतिक प्रभाव में आकर, दबाव में आकर काम करती रही है गंधी की उपेक्षा की गई । मैं चाहता हूँ कि जनता सरकार इस तरह के जो इलाके हैं, जिन की उपेक्षा की गई है उनकी बहुमुखी उन्नति की ओर ध्यान दे । वह साधन मौजूद हैं, वहाँ उद्योग धंधे वह खोले । अभी उलझा होता है । जिसका प्रभाव होता है उसके यहाँ पर धंधे खोल दिये जाते हैं । ऐसा अब नहीं होना चाहिये । जहाँ पर

बच्चा माल है, जहाँ पर बिजली है, पानी है, वहाँ पर धंधे खोले जाने चाहिये । ताकि देश की गरीबी मिट सके, लोगों की काम मिल सके । बहुमुखी तीर से देश की प्रगति की ओर आपकी ध्यान ध्यान देना चाहिये, पक्षपात से काम नहीं लेना चाहिये, यही मेरा आप से निवेदन है ।

SHRI MOHANARANGAM (Chengalpattu). Sir, for the first ten days we have been observing that most of the speakers are speaking in Hindi language. We are not in a position to understand ..

MR. DEPUTY-SPEAKER. You have the translation in English.

SHRI MOHANARANGAM. The translation of Hindi language in English does not contain everything. The Members are speaking for 5-10 minutes and the translation of that is for two to three minutes or so.

MR. DEPUTY-SPEAKER. Probably the English version is more precise.

श्री बर्पूरी ठाकुर (गदवा) : मधेजी में बोलने के बजाय तमिल, तैनेलु, बंगल में बोलें और उसका अनुवाद हिन्दी में आ जाए तो और उसको हम सुन सकते हैं ।

उपाध्यक्ष महोदय : तमिल में भी आप थोड़ी देर बाद सुन लेंगे ।

श्री० एम० राम गोपाल रेड्डी : त्रिभाषावाद) : मैं हिन्दी में बोलूंगा ।

श्री बर्पूरी ठाकुर तमिल में बोलिये, हम सुनेंगे । हिन्दी में अनुवाद तो आ ही जाएगा ।

SHRI ARAVINDA HALA PAJANOR (Pondicherry). Sir, according to the usual procedure, the time is allotted as per the party strength. The Congress Party had its time, and

as far as my Party, Anna DMK is concerned, and we have nineteen Members, we must have sufficient time

MR DEPUTY SPEAKER That will be taken care of

SHRI C M STEPHEN I would like to know what exactly is the apportionment of the time

MR. DEPUTY-SPEAKER Actually, there is no apportionment of the time, because there was no meeting of the Business Advisory Committee. It has, therefore, to be done as per the discretion of the chair

SHRI EDUARDO FALEIRO (Mor-mugao) Mr Deputy-Speaker, Sir I wish to express my appreciation, of some remarks made in his Address by the Vice-President, acting as President. I would particularly like to draw the attention of the House to the remarks that this Government relies on the power of the people the vitality of the democratic process in India and the deep root that it has taken. Sir, as a Member coming from the Union Territory of Goa, Daman and Diu, I would like to put before the House the demand, the most cherished aspiration of the people in my part of the country and that is, the full-fledged statehood, separate statehood being granted to that territory

1510 hrs

[SHRI M SATYANARAYAN RAO in the Chair]

That is the demand which arose and which has been growing for the last 15 years and since the time that territory was liberated from the Portuguese

SHRI M RAM GOPAL REDDY May I congratulate you Mr Chairman on your appointment to the Panel of Chairman?
166 LS-4

SHRI EDUARDO FALEIRO May I remind the House that on 18th December 1961 that portion of land was liberated from the colonial yoke and that became a part of the great motherland and till this day it has remained as a Union Territory. I submit that under the constitutional enactments and under the constitutional scheme also which govern us the Union Territory status is not a permanent status. It is a transitory temporary status only and some day or the other these people and this portion of land has either to merge in the neighbouring State or they must get separate Statehood.

In 1964 as there were controversies among the people of this territory as to whether they should continue as a separate territory or they should merge into the neighbouring States of Maharashtra or Mysore an opinion poll was taken and that opinion poll proved once for all that what the people wanted was not merger with either Maharashtra or Mysore but a separate State of their own. This was in 1964. We are now in 1977 and in spite of 13 years having passed the power of the people, the will of the people and the most urgent and pressing demand of the people in my part of the country has not been given its due expression.

May I bring to the notice of this House that in the year 1971 a non-official resolution brought forward by the Opposition Party, the United Goan Party for a separate statehood was passed unanimously and it was accepted even by those who upto last year opposed separate Statehood. In 1976 the Maharashtra vadi Gomantak Party the name of which itself shows that they are for merger of this territory into the neighbouring State of Maharashtra brought a resolution in the Assembly for separate statehood and this resolution also was passed unanimously. I will not take the time of the House nor will you allow me sufficient time to explain to the House as to what are the advantages political, economic and administrative, that will accrue to the people who constitute a separate

[Shri Eduardo Faleiro]

Statehood and which do not accrue to people who belong to the Union Territory. One of them is representation in the Rajya Sabha. A Union Territory does not have any representation in the Rajya Sabha. Goa does not have any representation in the Rajya Sabha precisely because we are a Union Territory. Then we do not have a separate Public Service Commission. All our administrative officers are selected by the UPSC which has a choice of the entire country while in the State the State Public Service Commissions choose generally from among the people of that particular State. You will be surprised to know that out of the 30 or 40 IAS officers which are presently in Goa, Daman and Diu, there is not a single officer who belongs to that territory. You will be under a wrong impression if you believe that all of us are savages that we are primitives, that we do not have any IAS officers. We have plenty of officers, our officers have even become Governors but still not a single IAS officer is drawn from our territory.

There are several other benefits.

The hon. member from Pondicherry has interrupted and thereby he has reminded me of the local judicial authority in the case of a Union Territory. There the Judicial Commissioner exercises only certain restricted powers of the High Court, whereas in the case of a State the local final judicial authority is the full-fledged High Court. It is better to have a High Court rather than a Judicial Commissioner. This is a disadvantage to us which is because of our being a Union Territory. Had we got a separate State of our own in that case we would have a High Court of our own. The litigants of Goa do not have that benefit. It is not justified. It is high time that full statehood was granted.

The reasons given for not granting Statehood are two.

1. Smallness of the territory. It is a small territory. People go only for

holidays. That seems to be embarrassing.

In this connection I would like to submit some statistics based on 1971 census. If the North Eastern Areas Tripura, Manipur, have been given statehood—there is no justification whatsoever to deny statehood to Goa, Daman and Diu.

The population of Goa, Daman and Diu according to 1971 census is 8.53 lakhs whereas in Nagaland the population is 5.16 lakhs.

Density of population per sq. km is as under:

Goa	225 people per sq. km.
Manipur	43 " " " "
Nagaland	31 " " " "
Meghalaya	45 " " " "
Tripura	149 " " " "

If this House could grant statehood to the North Eastern Area it cannot on the basis of justice and equity deny statehood to the people of Goa which has larger population and more density of population.

The other argument which is adduced against granting statehood to our territory is that it is economically not viable. On this point I am happy to say that the rate of growth during the decade—1964—74—as also the increase in the revenue has been to the extent of 500 per cent in the case of our Territory.

We have at present a deficit of Rs. 1234 crores. If statehood is granted, we will be entitled to Rs. 3 crores. The scheme for allocation of Central Taxes has been evolved by the Finance Commission for 1974—79. The remaining will have to be made good by grant-in-aid by the Central Government. The Grant-in-aid will be to the extent of Rs. 9 crores. I give figures to show in comparison the grants-in-aid being given to the North Eastern States.

We require grants-in-aid to the extent of Rs 9 crores, whereas for others the figures are as follow—

Nagaland	Rs. 32 crores
Man pur	Rs. 27 "
Assam	Rs. 73 "
Orissa	Rs. 103 "
Jammu & Kashmir	Rs. 65 "
Tripura	Rs. 25 "
Meghalay	Rs. 25 "
Himachal Pradesh	Rs. 45 "

The Central Government will not be doing any big favour if it gives grant-in-aid of Rs 9 crores to Goa because the export duty which is earned by this territory is Rs 55 crores per year on iron ore alone and this does not include export duty on manganese ore or cashewnuts and so many other things. This is a pressing demand of Goa, Daman and Diu. This Government claims to be committed to the welfare of the people, as its name indicates. But empty promises would take us nowhere. It is our demand that as early as possible full fledged Statehood should be granted to our territory. The erstwhile Congress Government was inclined to grant Statehood in respect of small States. The House must be aware of this. A couple of years back the concept of working statehood was adopted on the basis of the Morarka Committee report. Before becoming Prime Minister Mr Morarji Desai was reported to have made a statement that it would be better if India had 4 or 5 major States and that small States were against the interest of the country. I request him to clarify this point. Government should express its policy on this issue of small States. I want to know specifically as to what the policy of the Government is on the question of granting full-fledged statehood to the Union Territory of Goa, Daman and Diu.

With these words, I thank you for the time given to me to speak and I thank the hon. Members for the patience with which they have heard my speech. I hope that the points raised by me will be replied to by the Government while replying to the debate.

सत्कार मंत्री (श्री जार्ज फर्नांडिस) :
समापति महोदय, देश की जिस जाति ने राष्ट्रपति के अभिभाषण पर उन्हें धन्यवाद देने का मोता हम दिया है, उस जनता का मैं तब से बहुत अभिन्न बनना चाहता हूँ। आज की यह नई स्थिति और यह नई सरकार सभी में जो लोग जेलों में गये, जिन्होंने सरकार के दमन का मुकाबला किया, और जो आज हम लोगों के बीच में नहीं हैं, उन सब को भी मैं याद करना चाहता हूँ। मुजफ्फरपुर की जनता ने मुझे आज इस सदन में खड़ा होने का मोता दिया, और वह भी दो प्रकार के प्रकार को निष्पक्ष बना कर—एक तो भूतपूर्व प्रधान मंत्री, श्रीमती इन्दिरा गांधी, ने मेरे क्षेत्र में जा कर कहा कि जार्ज फर्नांडिस बाहर का आदमी है, मुजफ्फरपुर की जनता उसे क्या वोट दे, और उस वक्त और आज के भी जो वादेस ५० अध्यक्ष हैं, उन्होंने मेरे क्षेत्र में जा कर कहा कि जार्ज फर्नांडिस ईसाई है उसे मुजफ्फरपुर की जनता क्या वोट दे? मुजफ्फरपुर की जनता ने इस प्रकार के प्रकार के वायबूद मुझे वोट दिया। मेरे उस क्षेत्र में जाने पर हर प्रकार की राह लगी रही, मैं जेल में बंद रहा। इस देश की राजनीति में और देश के सार्वजनिक जीवन में मेरी सारी उम्र बीत गई, 19 साल की उम्र में मैं समाजवादी आन्दोलन में आया और तब से लेकर आज तक इस देश की जनता के बीच में मेरा काम रहा। सरकार से सन्नेद रहे। सवर्ण चलता रहा। लेकिन हम ने नहीं सोचा था कि ऐसे भी दिन इस देश में आएंगे कि मुजफ्फरपुर के दोनो हाथों में बैठिया डाल कर जेलों से पुलिस को पट्टी पर बांध कर शहर की सड़कों पर चलाना चायना। ये सारी चीजें हुईं।

[श्री ज ज फर्निडिस]

भगर इन सारी चीजों के बावजूद मूजपूरपुर की जिस जनता ने मुझे इस सदन में भेजा दिया उस को भी मैं राष्ट्रपति के अभिभाषण पर धन्यवाद के प्रस्ताव का समर्थन करते समय धन्यवाद देना चाहता हूँ।

मैंने कांग्रेस जनों के कई भाषण सुने, कुछ पढ़े। जनता की समस्याओं पर धन्य होने रोना शुरू किया है। दाम बढ़ रहे हैं, बहुत परेशानी है। बेकारी बढ़ रही है, बहुत परेशानी है। कब से दाम बढ़ने लगे? बेकारी का आकड़े पिछले दस बारह वर्षों से सरकार ने अपनी स्टैटिस्टिक्स की किताबों से देना ही बन्द कर दिया क्यों कि इतनी तेजी से इन लोगों ने बेकारी बढ़ाने की योजनाएँ देश में बना कर रख दी। क्षेत्रीय विपन्नता की कुछ बातें यहाँ पर हम ने सुनी। पिछले तीस सालों में जिन नीतियों को इस कांग्रेसी सरकार ने यहाँ पर चलाया, सिर्फ क्षेत्रीय विपन्नताओं को बढ़ाने और गाँवों को छूट कर दिल्ली और बम्बई जैसे शहरों को शानदार बनाने का सिंवाय और कौन सी नीतियाँ उन को रही? आज लाख लोग रो रहे हैं। आज उन लोगों की याद इन को आने लगी। बिहार में पिछड़े हुए इलाक़ों के मरे हुए लोगों की, आसाम, उड़ीसा जैसे पिछड़े प्रदेशों की, पूर्वोत्तर हिन्दुस्तान के पहाड़ी इलाकों में मरने वालों की आज याद आने लगी। तीस सालों में कौन सी नीतियाँ चलायीं?

इसलिए मैं प्रार्थना करूँगा कांग्रेस पार्टी के सदस्यों से कि वे कुछ धन्यमूर्खी हो जायें। गलतियाँ की हों तो उन की समझ सँ। अपने दल की स्थिति को सुधारें या न सुधारें यह उन का काम है। लेकिन पिछले 30 सालों की गलतियों के बाद जरूर कुछ धन्यमूर्खी हो कर जनता ने जो जिम्मेदारी आज जनता घर पर डाली है और जिस जिम्मेदारी को निभाने इस सरकार का

कर्त्तव्य है, उस जिम्मेदारी को निभाने में आप हमारी मदद करें। उस मदद की आप लोगों से हम अपेक्षा करते हैं। क्यों कि आज आप भी महसूस कर रहे हैं कि जो दाम बढ़ाने का सिलसिला आप ने चलाया, और बेकारी बढ़ाने का सिलसिला आप ने चलाया और तीस साल जो देश को बरबाद किया है उसे हम लोग नए ढंग से उठाए और नए ढंग से देश का निर्माण करें यह जिम्मेदारी इस सरकार पर आई है। इसलिए आप जरूर टीका करें, जहाँ भूल हो, लेकिन उस के अलावा कुछ सहयोग दें ताकि इस बिगड़ी हुई परिस्थिति को सुधारने में लिए हम लोग कुछ ठोस कदम उठा सकें।

ये समझाए बड़ी और गहरी हैं जिन को हल करने का काम आज हम लोगों ने जिम्मे आया है क्योंकि पिछले कुछ वर्षों से और विशेषकर पिछले 11 वर्षों में देश के लोगों की झूठी बातों पर जिन्दा रखने का काम कांग्रेस सरकार ने किया था। बातें कितनी झूठी रही...

श्री एम० राम गोपाल रेड्डी "झूठ" नहीं "असत्य" बोलिए। पोलियामेन्ट में आप "झूठ" नहीं बोल सकते।

श्री जार्ज फर्निडीज - आप क्यों शब्दों पर लड़ाई लड़ते हैं, असत्यता पर चले। लोगों ने सामने गलत आँकड़े रखकर बताया गया कि देश विकसित हो रहा है। बताया गया कि पिछले 11 सालों में देश इतना विकसित हो गया है। मेरे मित्रों को याद होगा कि पिछले साल इसी समय फरवरी, मार्च के समय में सारे देश में आप लोग "डायनेमिक डिबेट" बना रहे थे। सरकारी आँकड़ों से हमें पता लगाने की कोशिश करें कि कितने करोड़ रुपये केन्द्रीय सरकार ने और राज्य सरकारों ने खर्चा किया। इस "डायनेमिक डिबेट" पर। मैंने उस समय अभिव्यक्त प्रश्नों में उदाहरण वर्ष

निवाला जिसमें यह कहा कि यह "डाइनिंग डिबेड" नहीं है, यह "डवाइंट डिबेड" रही है । आज मैं इसका सबूत आपने सामने रखना चाहूंगा क्योंकि देश के लोगों को उससे अवगत कराना बहुत जरूरी है । मैं विशेषकर पिछले दस वर्षों की बात कहूंगा, पिछले 30 वर्षों की नहीं क्योंकि फिर समय की समस्या आ जायेगी । फिर आहिस्ता आहिस्ता उस पर भी हम रोशनी डालेंगे । पिछले दस सालों में श्रीमती इन्दिरा गांधी का जो "डायनेमिक डिबेड" रहा वह कितना "डायनेमिक" या और कितना "डेकाडेन्ट" था—इससे मैं बताना चाहता हूँ ।

जब श्रीमती इन्दिरा गांधी प्रधान मंत्री बनीं तब रुपए की कीमत थी 54 पैसे । दस साल 'डायनेमिक डिबेड' चलाने के बाद रुपए की कीमत रह गई 25 पैसे । यह आपका ही धाकड़े है, मेरे नहीं । इसी तरह से जब श्रीमती इन्दिरा गांधी प्रधान मंत्री बनीं तब इस देश "बिलो पावर्टी लाइन" गरीबी की रेखा के नीचे जो जनता थी उसकी संख्या थी 24 करोड़ लेकिन दस सालों तक "डायनेमिक डिबेड" चलाने के बाद उनकी संख्या हो गई 42 करोड़ । यानी "डायनेमिक डिबेड" में उनकी संख्या 18 करोड़ बढ़ गई ।

इसी तरह से जहां तक रोटी का सवाल है, जब श्रीमती इन्दिरा गांधी प्रधान मंत्री बनीं तब इस देश के लोगों को औसतन रोज 50 ग्राम दाल खाने को मिलती थी । वैसे तो बहुत से लोग भूखे हैं, 10-20 ग्राम दाल भी रोज खाने वाले बहुत हैं लेकिन औसत 50 ग्राम का था । श्रीमती गांधी की 'डायनेमिक डिबेड' के बाद 50 ग्राम दाल का औसत 42 ग्राम ही रह गया । इसी तरह से जब श्रीमती इन्दिरा गांधी प्रधान मंत्री बनीं तब औसतन एक व्यक्ति को बपड़ा साइज 15 मीटर मिलता था जोकि 10 साल की "डायनेमिक डिबेड" के बाद 13 मीटर ही रह गया । इसी तरह से

औसतन साल में एक व्यक्ति को 840 ग्राम वनस्पति मिलता था जोकि दस साल "डायनेमिक डिबेड" के बाद 748 ग्राम ही रह गया । इसी तरह से चीनी हालांकि हर एक को नहीं मिलती थी लेकिन औसतन एक आदमी के पीछे सालाना 7 किलोग्राम पैदा होती थी जोकि दस साल की 'डायनेमिक डिबेड' के बाद 6 किलो ही रह गई । यह चीजें बताना इसलिए जरूरी है क्योंकि आपने लोगों को गुमराह करके रखा और बताया कि इस देश में उत्पादन बढ़ा रहे हैं जबकि एक आदमी के पीछे जितना होता था वह भी घट गया और गरीबी बढ़ गई । आपने गलत आंकड़ों का पेश करने लगाया था और आप यही मेरे कहने का मतलब है ।

एक उदाहरण मैं और देना चाहता हूँ । देश में विकास की युनियाद इस बात पर निर्भर होती है कि उत्पाद का कितना उत्पादन हो रहा है । जब श्रीमती गांधी की "डायनेमिक डिबेड" शुरू हुई उस समय साल में एक आदमी के पीछे उत्पाद पैदा होता था—9.3 किलो, लेकिन 10 वर्षों के बाद वह घट कर 7.8 किलो रह गया ।

इन के जो एम्प्लायमेंट एक्सचेन्ज के रजिस्टर हैं—उनका हिसाब देखिये—"डायनेमिक डिबेड" शुरू होते समय बेरोजगारों की रजिस्टर्ड संख्या थी—26 लाख, लेकिन 10 वर्षों के बाद वह संख्या हो गई—1 करोड़ । प्रेजुएन्स की संख्या इन के 'साइव रजिस्टर्स' पर "डायनेमिक डिबेड" शुरू होने के समय थी—1 लाख 19 हजार, लेकिन 10 वर्षों में यह बढ़कर 6 लाख हो गई । मैट्रोपुलेट्स तथा उस से ऊपर और प्रेजुएन्स से नीचे के लोगों की संख्या "डायनेमिक डिबेड" शुरू होने समय थी—8 लाख, लेकिन 10 वर्षों समाप्त होने-होने वह हो गई—30 लाख । हिन्दुस्तान में निरक्षर लोगों की संख्या "डायनेमिक डिबेड" शुरू होने समय थी—36 करोड़ लेकिन "डिबेड" समाप्त होने-होने

फर्नांडिस]

। हो गई—42 करोड़ । आप देख
... —नितनी तरक्की हुई है ।

लेकिन, समापति महोदय, एक क्षेत्र में बहुत तरक्की हुई । वह चीन का क्षेत्र था, बतवाड़ ? 1966-67 में मैं इस साल सभा का सदस्य था और उधर बैठा करता था । उस समय एक सड़ना था जो हिन्दुस्तान में मॉडिक पास हुआ था, बेकार था, एपेन्डिस शिफ्ट कर के मारा था । हिन्दुस्तान का “डाइनेमिक ड्रिड” समाप्त होते-होते वह कई करोड़ के मारति लि० कारखाने का मालिक बन गया । इस जाह पर “डाइनेमिक ड्रिड” ने वास्तव में काम किया । लेकिन बाकी क्षेत्रों में देश ने तरक्की नहीं की, देश बरबाद हुआ । मैं सारे घाटों इस समय नहीं रखूँगा अगर आप की दिनबत्ती हो, तो आप के पास पट्टवाने की कागिश करूँगा क्योंकि यह सब छना हुआ है । इन की आप जल्द पछिने और जो बलनिया हुई है उन को सुधारने का काम कीजिये ।

अभी एक सदस्य ने कहा कि “मूड” शब्द मन बोलिये, “प्रसाप बोलिये—मैं आप को इस का उदाहरण भी देता हूँ । इस सदन में इन्होंने एक दस्तावेज पेश किया था—“व्हाई एमरजेंसी ? इस दस्तावेज के बारे में पता नहीं, उम्र बीटे हुए लोगों को वह जर्म लगेगी या नहीं, क्योंकि यदि इन दस्तावेज को लेकर बहस की जाए तो शायद महीनों यह बहस चल सकती है । मार उग बचन तो मैं सिर्फ़ एक घाटी के बारे में बताना चाहता हूँ — जिन के बारे में इस दस्तावेज में लिखा है—वह व्यक्ति है—श्री जयप्रकाश नारायण । जय प्रकाश नारायण जी के बारे में इन के किसी नोटिफिकेशन या धार्मिक ची० या पुलिस विभाग के किसी व्यक्ति ने ज्ञात किया है—उम्र की सोझा पड़ मोड़िये और उन को पड़ कर अगर आप को धर्म पानी है तो ज्ञाना कुछ न कर सकें ता कम से कम उस महात्मा से क्षमा माचना ही कीजिये, उज्जा बन्द कीजिये ।

श्री सुरत बहादुर शाह (खैरी) वह तो सिर्फ़ हवादार कर सकते हैं, वेहया क्षमा नहीं माग सकते हैं ।

श्री ज्ञान फर्नांडिस इस दस्तावेज में 20 महीनों में देश को किस तरह से बहात कर पट्टवाने का काम किया है—सब कुछ झूठ व आधार पर लिखने की कोशिश की गई है । इसी किताब में एक चैप्टर है—रेल मजदूरों की हड़ताल के बारे में लिखने हैं —

“The railway strike of May, 1974 was essentially part of the movement for national disruption.”

समापति महोदय, हम नहीं चाहते थे कि रेल हड़ताल हो । मुझ पर यह आरोप लगाया गया कि मैंने रेल हड़ताल को चलाया । दुनिया भर के मखबारों में प्रचार किया गया, लन्दन-टाइम्स में हजारों पाठक खर्च कर के लेख छपाया कि हमारी बजह से करोड़ों या सरबो रखा देश का बरबाद हो गया । मैं हड़ताल नहीं चाहता था । हम ने कुछ मागे भीजी थी । उस दिन मैं सदन में था, जब रेल बजट पर बहस चल रही थी । भूतपूर्व रेल राज्य मंत्री श्री कुरेगी हमारी मांगों के पत्र का उठा कर सदन में दिखाने लगे कि हम ये मागे मांगते हैं । उसमें हमारी 6 मांगें थी ।

हमारे हिसाब में 350 करोड़ रुपये की बात थी अगर शुरू से ही मैं ने कहा था

Every demand is negotiable

हड़ताल शुरू होने तक के क्षण तक मैं जेल से बिट्टया भेजना रहा कि

Every demand is negotiable.

भूतपूर्व राष्ट्रपति श्री बी० बी० गिरी ने अभी बन्द दिन पहले एक बयान दिया है जिस में उन्होंने लिखा है :

“When the last general strike was declared, I happened to be at

Mussoorie and on hearing about the strike I immediately returned to Delhi to take up the matter and see if a settlement could be arrived at. The then Railway Minister, L. N. Mishra called on me. I advised him to continue negotiations with the Railwaymen's Federation and their six point charter of demands. It is great pity that Shri George Fernandes was brought to Delhi for the purpose of negotiations but soon after, in a most indiscreet manner, sent to Tihar Jail."

उपाध्यक्ष महोदय, हम से बातचीत [हिं] रही थी 30 अप्रैल की रात के 9 बजे तक। रेल भवन में हम ने बातचीत की थी। 1 मई को वे बातचीत करना चाहते थे लेकिन 1 मई, मजदूरों का दिवस है और मुझे लखनऊ में रेल मजदूरों के बीच में भाषण करना था और इस का मैं ने वायदा किया हुआ था। मैं ने कहा था कि मैं 2 तारीख को मुंबई जहाज ने दिल्ली पहुंच जाऊंगा और सीधे 9 बजे रेल भवन में बातचीत करने के लिए आऊंगा। साढ़े तीन बजे इंग्लिश एयरलाइन्स का हवाई जहाज उड़ने वाला था लेकिन साढ़े 8 बजे तक उस को उड़ने नहीं दिया ताकि हम जा न पाए। दरअसल यह विचार कर रहे थे कि इन को यही पकड़ लें या वहां पकड़ें? लखनऊ में मजदूर रात 12 बजे तक मेरा इन्तजार करने रहे और वही बैठे रहे और मैं रात को 12 बजे लखनऊ स्टेशन के सामने अपना भाषण किया और रात को 2 बजे रेलवे रिटायरिंग रुम में सो गया। आई बजे दरवाजा खटखटाया गया और वहां पर दिल्ली पुलिस मोसा के अन्दर मेरी गिरफ्तारी का वारेन्ट लिये थे। रेलवे प्लेटफार्म को और स्टेशन को सैकड़ों नहीं, हजारों पुलिस वालों ने घेर लिया था। मैंने उन से पूछा कि मुझे वहां लिये जा रहे हो, तो कोई जवाब नहीं दिया गया। लखनऊ हवाई मंडूदे पर बोर्डर सैक्यूरिटी फोर्स का हवाई जहाज दिल्ली से मेरा डिटेनशन आर्डर लेकर उड़ा और उस में बैठ कर मुझे पालम

हवाई मंडूदे लाया गया और वहां से मुझे तिहाड़ जेल भिजवा दिया गया। 2 तारीख को मुझे 9 बजे बातचीत करने के लिए कहा था और 5 बजे मुझे जेल भेज दिया और इस पर ये लोग कहते थे कि

This was an attempted national disruption.

उपाध्यक्ष महोदय, मैं कहता हू कि

This was an attempted national disruption but not by the Railwaymen, but the Government of Mrs. Gandhi. This was an attempted national disruption.

और सन्नत चाहिए, तो मैं देता हू। हमारी बात को छोड़ दीजिए। इन की साथी श्रीमती पार्वती कृष्णन दिखाई नहीं दे रही है मगर उन के महान नेता वामरेड श्री पद भूमन आगे जो कि हमारे भी मित्र है, द्वारा लिखी गई इस चिंताव का वापसी जरूर खरीदे। यह ए० आई० टी० यू० सी० की पब्लिकेशन है। इस का नाम है "दि रेलवे स्ट्राइक"। आगे साहब ने इस में लिखा है

"The Government of the country, ruling in the name of democracy, had unleashed its armed forces against unarmed peaceful workers to compel them to work. It looked like the naked dictatorship of Roman Emperors, letting loose their armed soldiery against their slaves who refused to be mere slaves only to work under the whip-lash. For 20 days in May 1974, India saw peaceful bourgeois democracy, installed in power by the ballot box, forcing the railwaymen to give up their demands and their right to strike to get those demands. This bourgeois democracy which swears by truth, non-violence, peace and the poor and the fundamentals of the Constitution attacked even the families of the Railwaymen, further illustrates the truth that when the worker has sold his labour power to the employer, he sold himself

[Shri George Fernandes]

into wage slavery and not only himself but his family and his home also

यह ठाग साहब ने लिखा है। यह कब का लिखा हुआ है? जून 16 1974 का। यह धाप लोको के अत्याचारों के बारे में लिखा हुआ है। मान है कि यह बड़ी कास्तिरेसी है उसके 22 मई की हड़ताल के बारे में भारत का जो बयान है कि यह बड़ी कास्तिरेसी है उसके बारे में यह ठाग साहब के हाथ का लिखा हुआ बयान है —

The railway strike is not some ones conspiracy or clever trick. It is the logic of the parasitic capitalistic landlord system of our day and its special viciousness as sown and grown in our country. While the railway workers leadership were actually invited to negotiate and were coming step by step to a settlement the treacherous henchmen of the capitalist order in the bureaucracy and the government arrested the leaders of the National Coordination Committee right in the midst of negotiations and locked George Fernandes and others in jail."

ये कार्मरेड ठाग के बयान हैं। इस निताब में इससे भी सफा बयान है। पाच रुपये की यह निताब खरीद कर जरूर पढ़िए।

अध्यक्ष महोदय इस दस्तावेज में हमारे ऊपर और देश के रेल मजदूरों पर यह आरोप लगाया गया है—अगर यही तक सीमित होता तो भी मैं छोड़ देता लेकिन इसमें क्या क्या मुझ पर आरोप नहीं लगाए गए। इसमें कहा गया कि मैंने चेयरमैन माओ के पास पहुंच की। जब मैं भूमिगत था तो मेरे खिलाफ रेडियो पर प्रचार किया गया और अखबारों में यह छपा गया कि जांच फर्नांडिस माओ का दलाल है। जब यह आरोप मजदूरों पर लग रहे थे तो सदन में एक सवाल पूछा गया। उसको भी दवा

दिया गया और दूसरी तरह से भी चीजा को बाहर आने से रोका गया। अध्यक्ष महोदय रेडियो पर प्रचार होता रहे कि मैं देशद्रोही हूँ मैं माओ का दलाल हूँ। मेरे खिलाफ क्या क्या प्रचार नहीं किया गया? अध्यक्ष महोदय, मैं चेयरमैन माओ को एक चिट्ठी लिखी उस चिट्ठी के बारे में इन एमरजेंसी के कामजो में रहने लिखा है —

In a letter addressed to Chairman Mao Tse-tung in December 1974 Shri George Fernandes complained of ruthless repression at the hands of the Government of India of the Indian railwaymen when they fought a glorious struggle to secure justice that has been denied to them for several years now

दानी जार्ज फर्नांडिस और माओ का रिश्ता है जार्ज फर्नांडिस माओ के साथ पक्ष ध्वजार करता है जार्ज फर्नांडिस देश का शत्रु है। देश के अखबारों में यह छपाया गया —

This man is a traitor he must be hanged

अध्यक्ष महोदय, मेरा क्या पक्ष था, वह मैं पढ़ कर सुना देता हूँ —

Chairman Mao Tse-Tung
People's Republic of China
Peking

Dear Comrade

While the news of railwaymen's strike in China—

अध्यक्ष महोदय 11 दिसम्बर, जो हिंदुस्तान के अखबारों में एक खबर छपी थी कि चीन में रेल हड़ताल हुई है। मैं रेल मजदूरों को लेकर प्रदर्शन करने के लिए वही दूतावास पर गया। दिल्ली की पुलिस ने हमको रोका। हम एक पक्ष लेकर गए थे जो हम दूतावास को देना चाहें थे। लेकिन श्रीमती इंदिरा गांधी की पुलिस ने हमें कहा कि

हम आपको अन्दर नहीं जाने देंगे। मैंने वह पत्र गेट के अन्दर फेंक दिया। उस पत्र में क्या था—

While the news of railwaymen's strike in China has took us by surprise the repression let loose by your regime on the striking railwaymer has shocked us in no small measure. The Indian railwaymen were themselves recently victims of ruthless repression at the hands of the Government of India when they fought a glorious struggle to secure justice that has been denied to them for several years now. While expressing our solidarity with the fighting railwaymen of China we hereby demand that your government concede the legitimate demands of the railway workers.

Yours sincerely
George Fernandes
President All India Railwaymen's Federation

इस तरह से तोड़ मरोड़ कर उन लोगों ने हम पर आरोप लगाए। मुझे चीनियों का दलाल बनाया। इतना पाप किया। क्या उन लोगों ने यह सोचा था कि कभी हम यहां बिदा खड़े होकर नहीं आ सकेंगे और उन लोगों पर सदन में यह पाप नहीं फेंक सकेंगे। क्या उन लोगों ने यही सोचा था इसी की इतजार में वे थे? मुझ पर आरोप लगाया गया कि मैं विदेशी शक्तियों का न केवल मामो का बल्कि अमरीका का भी दलाल हूँ। यह भी कहा गया कि विदेशी रुपया लेकर हमने हिंदुस्तान में रेल हड़ताल चलाई। इसको भी उन्होंने छपा है। मेहरबानी करके इसको पढ़िये कि क्या आरोप लगाया गया है।

Substantial amounts of money were received in May/June 1974 by Shri George Fernandes from abroad through a foreign bank. If money transfers took place through banks, more money must have flown through other channels to him and to others."

सभापति महोदय सदन का भी बहुत बड़ा अपमान हुआ है। इस दस्तावेज में मई जून करने लिखा गया है। यह दस्तावेज वह है जिस को सदन में पेश किया गया था जुलाई महीने में। "उ" में मैंने भूमिगत अवस्था में श्रीमती इंदिरा गांधी के नाम चिट्ठी लिखी और 'मैडेम डिपटेटर' करके मैंने यह चिट्ठी लिखी। उस में मैंने उनको बताया कि आपने जो तारीख लिखा है वह तारीख भी गलत है इसको आप सुधार लें। उन्होंने सदन को न बोल करके तारीख सुधार कर किताब की पचास हजार कापिया छपा कर भेज दी। पहले छपा था मई जून 1974। मेरे चिट्ठी पाने के बाद इसको मई जून 1975 किया गया। कौन से पैसे? यह चीज मैंने श्रीमती इंदिरा गांधी को लिखा। किस ने पैसे दिये यह मैंने उन से पूछा। जापान के रेल मंत्रालय ने दिए थे। क्यों दिये थे? उन्हीं के शब्दों को मैं आपके सामने पेश करना चाहता हूँ

In October 1974 when the International Railwaymen's Seminar was held in Frankfurt West Germany under the auspices of the German Railwaymen's Union (DdED) the delegation from our Union KOKURO proposed a motion on the protest against the Indian Government and support for the Indian railwaymen" which got approvals from many representatives in the Seminar

In November 1974 the 110th Session of our Central Committee held in Tokyo discussed this matter and adopted unanimously a motion on collecting voluntary contributions among the members. In agreement to our aim, the Locomotive Union (DORO) started their own campaign. In response to the resolution on supporting Indian railwaymen Japanese railwaymen were very active in the campaign for collecting contributions and signatures and the total amount of their contributions reached 68 000 US dollars for

[Shri George Fernandes]

into wage-slavery and not only himself but his family and his home also "

यह डाग साहब ने लिखा है। यह कब का लिखा हुआ है? जून 16, 1974 का। यह आप लोगों के अत्याचारों के बारे में लिखा हुआ है। यान है कि यह बड़ी कासिरेसी है, उसके 22 मई की हड़ताल के बारे में सरकार का जा बयान है कि यह बड़ी कासिरेसी है, उसके बारे में यह डाग साहब के हाथ का लिखा हुआ बयान है —

"The railway strike is not some ones conspiracy or clever trick. It is the logic of the parasitic capitalistic landlord system of our day and its special viciousness as sown and grown in our country. While the railway workers leadership were actually invited to negotiate and were coming step by step to a settlement, the treacherous henchmen of the capitalist order in the bureaucracy and the government arrested the leaders of the National Coordination Committee right in the midst of negotiations and locked George Fernandes and others in jail."

ये कार्मरेड डाग ने बयान है। इस विताव में इससे भी सख्त बयान है। पांच रुपये की यह विताव धरोहर कर जरूर पड़िए।

अध्यक्ष महोदय, इस दस्तावेज में हमारे ऊपर और देश के रेल मजदूरों पर यह आरोप लगाया गया है—भगर यहाँ तक सीमित होना तो भी मैं छोड़ देता, लेकिन इसमें क्या क्या गुप्त पर आरोप नहीं लगाए गए। इसमें कहा गया कि मैंने चेयरमैन माओ के पास पट्टब की। जब मैं भूमिगत था तो मेरे खिलाफ रेडियो पर प्रचार किया गया और अफवाहों में यह छाप गया कि जार्ज फर्नान्डिस माओ का दलाल है। जब यम रोप भग्न पर लग रहे थे तो सदन में एक सवाल पूछा गया। उसकी भी दवा

दिया गया और दूसरी तरह से भी चीजों को बाहर आने से रोका गया। अध्यक्ष महोदय, रेडियो पर प्रचार होता रह कि मैं देशद्रोही हूँ, मैं माओ का दलाल हूँ। मेरे खिलाफ क्या क्या प्रचार नहीं किया गया? अध्यक्ष महोदय, मैंने चेयरमैन माओ को एक चिट्ठी लिखी उस चिट्ठी के बारे में इन एमरजेंसी के बागवों में इन्होंने लिखा है —

"In a letter addressed to Chairman Mao Tse-tung in December 1974 Shri George Fernandes complained of 'ruthless repression at the hands of the Government of India of the Indian railwaymen when they fought a glorious struggle to secure justice that has been denied to them for several years now."

यानी जार्ज फर्नान्डिस और माओ का रिश्ता है, जार्ज फर्नान्डिस माओ के साथ पत्र-व्यवहार करता है, जार्ज फर्नान्डिस देश का मनु है। देश के अफवाहों में यह छपवाया गया —

"This man is a traitor, he must be hanged"

अध्यक्ष महोदय, मेरा क्या पत्र था, वह मैं यद कर सुना देता हूँ —

Chairman Mao Tse-Tung,
People's Republic of China,
Peking

Dear Comrade,

"While the news of railwaymen's strike in China—"

अध्यक्ष महोदय, 11 दिसम्बर को हिन्दुस्तान के अफवाहों में एक खबर छपी थी कि चीन में रेल हड़ताल हुई है। मैं रेल मजदूरों को लेकर प्रदर्शन करने के लिए चला हुआ था पर गया। दिल्ली की पुलिस ने हमको रोका। हम एक पत्र लेकर गए थे जो हम दूतावास को देना चाहते थे। लेकिन श्रीमती इंदिरा गांधी की पुलिस ने हमें रोक दिया कि

हम आपको सन्दर नहीं जाने देंगे। मैंने यह पत्र गेट के सन्दर फेंक दिया। उस पत्र में क्या था—

'While the news of railwaymen's strike in China has took us by surprise the repression let loose by your regime on the striking railwaymen has shocked us in no small measure. The Indian railwaymen were themselves recently victims of ruthless repression at the hands of the Government of India when they fought a glorious struggle to secure justice that has been denied to them for several years now. While expressing our solidarity with the fighting railwaymen of China, we hereby demand that your government concede the legitimate demands of the railway workers

Yours sincerely

George Fernandes

President All India Railwaymen's Federation'

इस तरह से तोड़ मरोड़ कर उन लोगों ने हम पर आरोप लगाए। मुझे चीनियों का दलाल बनाया। इतना पाप किया। क्या उन लोगों ने यह सोचा था कि कभी हम यहाँ जिंदा खड़े होकर नहीं आ सकेंगे और उन लोगों पर सदन में यह पाप नहीं फेंक सकेंगे। क्या उन लोगों ने यही सोचा था, इसी की इज्जत भे वे थे? मुझ पर आरोप लगाया गया कि मैं विदेशी शक्तियों का न केवल मामो का बल्कि अमरीका का भी दलाल हूँ। यह भी ब'हा गया कि विदेशी रुपया लेकर हमने हिन्दुस्तान में रेल हड़ताल चलाई। इसको भी उन्होंने छपा है। मेहखानी करके इसको पड़िये कि क्या आरोप लगाया गया है।

Substantial amounts of money were received in May/June 1974 by Shri George Fernandes from abroad through a foreign bank. If money transfers took place through banks, more money must have flown through other channels to him and to others "

सभापति महोदय सदन का भी बहुत बड़ा अपमान हुआ है। इस दस्तावेज में मई जून बरखे लिखा गया है। यह दस्तावेज वह है जिस को सदन में पेश किया गया था जुलाई महीने में। "द में मैंने भूमिगत अवस्था में श्रीमती इंदिरा गांधी के नाम चिट्ठी लिखी और "मंडेम डिवटेटर" बरखे मैंने यह चिट्ठी लिखी। उस में मैंने उनको बताया कि आपने जो तारीख लिखा है वह तारीख भी गलत है, इसको आप सुधार लें। उन्होंने सदन को न बोल बरखे तारीख सुधार कर किताब को पचास हजार बापिया छपा कर भेज दी। पहले छपा था मई जून, 1974। मेरे चिट्ठी भाने के बाद इसको मई जून, 1975 किया गया। कौन से पैसे? यह चीज मैंने श्रीमती इंदिरा गांधी को लिखी। किस ने पैसे दिये यह मैंने उनसे पूछा। जापान के रेल मजदूरों ने दिए थे। क्यों दिये थे? उन्हीं के शब्दों को मैं आपने सामन पेश करना चाहता हूँ

In October, 1974, when the International Railwaymen's Seminar was held in Frankfurt, West Germany, under the auspices of the German Railwaymen's Union (DdD) the delegation from our Union KOKURO proposed a motion on "the protest against the Indian Government and support for the Indian railwaymen" which got approvals from many representatives in the Seminar

In November, 1974 the 110th Session of our Central Committee held in Tokyo discussed this matter and adopted unanimously a motion on collecting voluntary contributions among the members. In agreement to our aim the Locomotive Union (DORO) started their own campaign. In response to the resolution on supporting Indian railwaymen, Japanese railwaymen were very active in the campaign for collecting contributions and signatures and the total amount of their contributions reached 68 000 US dollars for

को बचाया या बरना उसी दिन आप चले गये होने। तो हम मार खाने के लिये तैयार हैं। हमें दर्द नहीं होता आपकी लाठिया खाने से। लेकिन इस तरह से एक आदमी को जवान बन्द कर के उस को इस तरह से बदनाम करना उचित नहीं है। मान्यवर, मैं इस अभिमापण पर बोलने वाला नहीं था, लेकिन इस देश के रेल मजदूरों की इज्जत का सवाल था, उस को सही ढंग से देश के सामने आज पेश करता था इसलिये मैं बोल रहा हूँ। इस देश में किस प्रकार से शूट बोल कर इन लोगों ने राज्य चलाया उस के आँकड़ों में देश के सामने पेश करना चाहता था इसलिये बोल रहा हूँ।

और एक आखिरी बात पेश कर दूँ। हमारे ऊपर आरोप लगाया कि हम हिंसाचारी हैं। 26 जून, 1975 को मैं गोपालपुर में था उस वक्त मेरा निक्ला हुआ एक बयान है, जो इस समय मेरे पास नहीं है, लेकिन मेरी पत्नी के पास होगा जो परमो विदेश से लौट रही है। 22 महीन हो गये सभापति जी अपनी पत्नी और 3 वर्ष दो महीने के बच्चों को देखे हुए। मेरी पत्नी और मेरा बच्चा परसो लौट रहे हैं, उस बयान की प्रतिलिपि मैं आप के सामने पेश करूँगा। मैं ने कहा यह गांधी जी का देश है और गांधी जी के रास्तों से ही हम तानाशाही का हम मिटावेंगे। और तब से लेकर हमने यही कहा, भूमिगत अवस्था से निक्ला हुआ हमारा एक, एक परचा है, जो कि महीने में एक निजलगा था और छपर सब को भेजा जाता था, पता नहीं आप लोगों को मिलता था कि नहीं। इस बारे में रिकॉर्ड और ऐन्विलिसिड किंग वालों से पूछ लीजिये, हम भी जांच करायेंगे, और हर बार मैं यही कहता था कि यह गांधी जी का देश है। पहली पच्ची में मैंने कहा था :

"The fight will be between Mrs. Indira Nehru Gandhi and Mahatma Gandhi."

गांधी जी के रास्ते हम आगे ले जायेंगे। गांधी जी के रास्तों से ही हम रंग में तानाशाही नष्ट हो जायेगी। हमने यह बान बही थी। और तानाशाही खत्म हो भी गई उन्हीं के रास्तों पर चल कर। जिस व्यक्ति ने आप लोगों को यहाँ ला कर पहुँचाया है कुछ उन के बारे में भी सोचिये। नाराज नहीं होइये, जब हम आरोप करते हैं तो आप अन्तर्मुख हो जायें कि क्यों ऐसा हुआ। आप लोगों से भी पुरोपाय को कैसे उसने छीन लिया, इस पर भी आप सोच लीजिये। दिमागी और शारीरिक तौर पर आप लोग इनने मजबूत नगर धाते हो, जिन्दगी भर लटे हो, जेल भी गये हो, जब कि वह तो सिर्फ 6 महीने ही जेल गई थी। वह बहुत बोलती है कि मेरे खानदान में बहुत त्याग किया है। खानदान के त्याग की बात करना इस से ज्यादा प्रयोग बान और कोई नहीं हो सकती है। श्रीमती इन्दिरा गांधी 6 महीने के तिथि जेल गई थी। मेरे पास उसने दस्तावेज भी हैं हितार के जेल में पड़े थे। वह जेल में 6 के 6 महीने बीमार रही और इतनी परेशान हो गई कि छहो महीने बीमार रही। श्रीमती बिजय लक्ष्मी पंडित ने अपनी डायरी में लिखा है, उसमें उनका सारा जेल का 6 महीने का हिसाब जितना है। मगर आप जेने मजबूत लोग उस समय बंटे थे, जो आजादी की लड़ाई में भी थे, कैसे आपने अपने पुरोपाय और हर चीज को छोड़ दिया? आप इतने जरा सोचिये और अगर बहो भूल हुई हो तो सुधारिये।

16 hrs.

श्रीमती गांधी की एक बात आपने सामने रखना चाहता हूँ। देश की जनता ने एक बहुत बड़ा काम जो तानाशाही का मिटाने का किया, उसने तिये जनता ने मैं पढ़ने ही अभिनन्दन किया है, मगर जब हमारे जैसे लोग कहा करते थे कि यह तानाशाही है,

[Shri George Fernandes]

KOKURO and 17000 dollars for DORO

In May 1975 the Japanese delegation from the two Unions attended the 45th Annual Conference of the ATRF held in Jodhpur India where Mrs Murakami and Temita respectively President of KOKURO and DORO handed directly drafts of the contributions presented by individual Japanese railwaymen to President Fernandes in the presence of all the representative of Unions affiliated with the AIRF. Our contributions were transferred by the bank drafts under the official recognition of the Japanese Government.

Paying his respects to our wills President Fernandes made a promise to use the contributions as Indian railwaymen's education fund for a long period in the future. For this, the contributions have not been drawn from the bank at all.

एक एक पार्स इसकी धाज भी बैरो में पड़ी हुई है। लेकिन यह कहा गया कि मैं फिर यह धाजा और भी धाजा मैं जून 1974 में। मेरी धाज फिर चुनौती है। मैंने भूमिगत धक्क्या से लिखा था श्रीमती इंदिरा गांधी को कि 'सकूत पेश करो कि विदेशी मुद्रा आई है बैका वे जरिये आई है सकूत पेश करो। लेकिन सकूत पेश करने को जगह पर इनकी नेता न 12 अक्टूबर को क्या कहा? यह पचा है इन म स में पड़ देता हूँ।

Now about the interview of the Prime Minister Shrimati Indira Gandhi to Mr George Evans of the Sunday Telegraph London. The question was

"What were the external pressures that influenced you in proclaiming a State of Emergency? The Government claims, for example that Mr George Fernandes leader of railwaymen's union and Socialist Party wrote to Chairman Mao soliciting support and that substan-

tial sums of money were received through a foreign bank.

The Prime Minister replied thus

First the real reason for the Emergency long before my case came up in the courts was the developing and deepening crisis."

उस गवर्नर ने कहा है कि।

Against she said

"Mr Fernandes said the money was for trade union activities. The money was originally put in his personal account though later he transferred some of it. The cheque came through the Reserve Bank of India from Japan and we had information that part of it came from somewhere else to Tokyo and then here. Before that a cheque was received from Holland I think, to a party in Orissa. They quickly said it was for agricultural work but the sort of campaign that was going on was obvious. Those who went on strike were being paid. Where did the money come from? Our trade unions are not rich."

धाज वह कहा है नहीं। धाज में धाज लागा से मांग भी नहीं कर सकता। कि सकूत पेश करो। भारत इतना झूठ जिस के लिये धाज ने आते किया, इतना शठ कहा जाएगा। हम कि मने कहें? धाज में सरकार में हूँ। मगर इतना झूठ बान कर सरकार नहीं चलानी चाहिये थी। धाज को भा माफना चाहिये था इस तरह से हम जीवित नहीं करना चाहिये था। धाज हम को मारने पीटने लाडिया चलाने हमन 30 साल धाज के हाथों मार धापी है। 6 अप्रैल, 1970 का इसी पटेल चौक में बाराबकी ने माननीय राम सेवक यादव को लाडिया को मार से मारा गया माननीय मधु तिमये माननीय राजनारायण माननीय मनीराम बागडी और मुज को लाडिया से मारा गया और म तो 4 घंटे अस्पताल में रहा था, पता नहीं था कि बकूना कि नहीं। अविश्वास का प्रस्ताव धाज के खिलाफ धाया था लेकिन कम्युनिस्ट पार्टी के लोगो न धाज की सरकार

को बचाया था वरना उसी दिन आप चले गये होते। तो हम मार खाने के लिये तैयार हैं। हमें दर्द नहीं होता आपकी लाठिया खाने से। लेकिन इस तरह से एम आदमी की खान बन्द कर के उस को इस तरह से बदनाम करना उचित नहीं है। मान्यवर मैं इस अभिभाषण पर बोलने वाला नहीं था, लेकिन इस देश के रेल मजदूरों को इज्जत का सवाल था, उस को सही ढंग से देश के सामने आज पेश करना था इसलिये मैं बोल रहा हूँ। इस देश से किस प्रकार से झूठ बोल कर इन लोगों ने राज्य चलाया उस के आकड़े मैं देश के सामने पेश करना चाहता था इसलिये बोल रहा हूँ।

और एक आखिरी बात पेश कर दूँ। हमारे ऊपर आरोप लगाया कि हम हिंसाचारी हैं। 26 जून, 1976 को मैं गोपालपुर में था उस वक़्त मेरा निकला हुआ एक बयान है, जो इस समय मेरे पास नहीं है, लेकिन मेरी पत्नी के पास होगा जो परसों विदेश से लौट रही है। 22 महीने हो गये समापति जी अपनी पत्नी और 3 वर्ष दो महीने के बच्चा को देखे हुए। मेरी पत्नी और मेरा बच्चा परसों लौट रहे हैं, उस बयान की प्रतिलिपि मैं आप के सामने पेश करूँगा। मैं ने कहा यह गांधी जी का देश है और गांधी जी के रास्तों से ही इस तानाशाही को हम मिटावेंगे। और तब से लेकर हमने यही कहा, भूमिगत अवस्था से निकला हुआ हमारा एक, एक परचा है, जो कि महीने में एक निकलता था और आप सब को भेजा जाता था, पता नहीं आप लोगों की मिलता था कि नहीं। इस बारे में रिसर्च और ऐनेलिसिस बिग वास्तों से पूछ लीजिये, हम भी जाच करावेंगे, और हर बार मैं यही कहता था कि यह गांधी जी का देश है। पहली पक्षी मैं मने कहा था :

"The fight will be between Mrs Indira Nehru Gandhi and Mahatma Gandhi."

गांधी जी के रास्ते हम आगे ले जायेंगे। गांधी जी के रास्तों से ही इस देश में तानाशाही मल्ट हो जायेगी। हमने यह बात कही थी। और तानाशाही खत्म हो भी गई उन्ही के रास्तों पर चल कर। जिस व्यक्ति ने आप लोगों को यहाँ ला कर पहुँचाया है कुछ उन के बारे में भी सोचिये। नाराज नहीं होइये, जब हम आरोप करते हैं तो आप प्रत्यक्ष हो जाइये कि क्यों ऐसा हुआ। आप लोगों से भी पुरणार्थ को कैसे उसने छीन लिया, इस पर भी आप सोच लीजिये। दिमागी और शारीरिक तौर पर आप लोग इतने मजबूत नजर आते हो, जिनकी भर लटे हो, जेल भी गये हो, जब कि वह तो सिर्फ 6 महीने हो जेल गई थी। वह बहुत बोलती है कि मेरे खानदान ने बहुत त्याग किया है। खानदान के त्याग की बात करना इस से ज्यादा प्रशंसनीय बात और कोई नहीं हो सकती है। श्रीमती इन्दिरा गांधी 6 महीने के लिये जेल गई थी। मेरे पास उसके दस्तावेज भी हैं हिवार के जेल में पड़े थे। वह जेल में 6 के 6 महीने बीमार रही और इतनी परेशान हो गई कि छह महीने बीमार रही। श्रीमती विजय लक्ष्मी पंडित ने अपनी डाढ़री में लिखा है, उसमें उनका सारा जेल का 6 महीने का हिसाब जितना है। मगर आप जैसे मजबूत लोग उस समय बैठे थे, जो आजादी की लड़ाई में भी थे, कैसे आपने अपने पुरणार्थ और हर चीज को छोड़ दिया? आप इसको जरा सोचिये और अगर कभी भूल हुई हो तो सुधारिये।

16 hrs

श्रीमती गांधी की एक बात आपके सामने रखना चाहता हूँ। देश की जनता ने एक बहुत बड़ा काम जो तानाशाही को मिटाने का किया, उससे लिये जनता ने मैंने पहले ही अभिनन्दन किया है, मगर जब हमारे जंमे लोग कहा करते थे कि यह तानाशाही है,

[Shri George Fernandes]

फासिज्म है, तो लोगों का जवदा नहीं था । लोग कहते थे कि तुम ऐसे ही बोलते हो । मगर इसी सदन में उन्होंने एक भाषण 22 जुलाई, 1975 को दिया था कि "टैपोनेसी एंड डिस्मिप्शन—स्पीचेज थॉफ श्रीमती इन्दिरा गांधी" नामक किताब के पन्ना न० 27 पर लिखा है —

Yesterday another member of the Opposition wanted to know what fascism was. Fascism does not mean merely repression."

—of course, not—

"It does not mean merely that the police use excessive force or that the people are imprisoned."

—of course, not—

"Fascism is the use of falsehood. Over and above everything, it is the propagation of the lie."

इस देश की जनता ने इस बात को साफ नर दिया है कि यहाँ तानाशाही थी, यहाँ फासिज्म था जिसका आधार झूठ था । उसका निर्णय डायनामाइट केस को लेकर लोगों को घुमराह करने, विहास के नाम से देश क बरबाद करने और श्री जय प्रकाश नारायण से लेकर रेल मजदूरों को जलील करने और उनके प्रति इस देश के लोगों के बीच में गलत विचारों का निर्माण करके झूठ के आधार पर राज्य चलाने वालों को इस देश की जनता ने हटा कर रख दिया है ।

राष्ट्रपति जी के धर्मिभाषण में, जिसमें उन्होंने पिछले 20 महीनों की और यह कहा जाये तो 30 वर्षों की विगडी हुई स्थिति पेश करने के लिए एक रूपरेखा पेश की है, उसके तिये में उन्हें धन्यवाद देने के साथ साथ इस देश की जनता को, इस चुनाव को जिसमें उन्होंने झूठ का पर्दाभास करके इस तानाशाही को समाप्त किया है, उसके तिये धन्यवाद देता हूँ और अपनी बात को समाप्त करता हूँ ।

SHRI BEDABRATA BARUA (Kaliabor) Mr Chairman, actually I did not want to speak on the matters that have been raised in this House, but having heard my respectable Socialist friend, Shri Fernandez, I would only like to mention that so far as the allegations that he has made against my party are concerned, we have so far stated that mistakes have been committed. We have not tried to defend those mistakes so far. In fact, we have explained in this House by and large that in the party as a whole we are in a mood of introspection and we are trying to find out what went wrong in the battle that decided our fate.

At the same time I cannot help saying that so far as the statistics are concerned, there are two major defects. Firstly, it has failed to take into account the rise in population in the country. It has not taken into account the fact that the population has gone up in the mean time. He has also avoided giving production figures. We in the Congress Party are proud of the development that has taken place during the past several years, particularly during recent history when the production of various items was increased, exports went up and so many other things happened.

I am in partial agreement with what has been stated in the President's Address in negative terms. What I mean by negative terms is the mandate that is stated to have been received by the party in power today, the mandate to remove the restrictions on the rights of the people etc. We are in partial agreement and our party leader has stated in this House that we will co-operate in all essential matters in carrying out whatever mandate the ruling party has received from the people.

I am also in partial agreement with what has been stated about the development of agriculture—partial because my party has contributed a lot to it. It is simply not true to say that investment in agriculture was less

that it was neglected. There was a green revolution in our country, agricultural production has more than doubled since Independence. Certain other measures have also been taken which have taken agriculture out of the medieval phase. It is, however, true that much that could have been done in agriculture could not be done because of various constraints. While I welcome the opportunities of the present Government to do away with those constraints, to face those problems, it will simply not do for them to function only as an opposition criticising us for having failed to do something which I have no doubt they will find equally difficult to implement when the time comes. In fact, the time has already come. I do not think they have plenty of time to tell the people that the Congress Party failed as they will have to show soon what improvements they are able to bring about in agriculture.

It is true that something should be done for rural water supply and all that, but it requires vast investment. The real problem is not rural water supply or rural industries. What is starting is the complete absence of the fact of struggle in the countryside. It is good to say that there are people below the poverty line, but they are in the countryside. Why was there no mention in the President's Address about the landless workers, about the people who are below the poverty level who do not have holdings who are tenants, what Government proposes to do about them, what type of legislation they would like to bring forward, what exactly the party, to which Mr. George Fernandes and other socialist leaders of my acquaintance with some of whom I had close personal relations, wants to do to remove this type of poverty in the rural sector? Rural industries may be a solution to some extent, but unless investment is diverted from the industrial sector, it will not be possible to develop rural industries. It has a logic of its

own. Vast investments will have to be made and one will have to decide one's policy about other industries.

In the President's Address there should have been a general statement of policy. I agree that the parties which have come to power recently may not be able to state immediately their approach in detailed terms but at the same time no political party ever comes to power without having an economic policy. So, why was it not found possible to state in concrete terms Government's approach with regard to the public sector and the private sector? It should have been possible to do it in two or three lines.

Harold Laski in his *Grammar of Politics* while discussing hasty legislation has categorically stated that hasty legislation is not possible because a great political party goes through a process of study and struggle before it arrives at the seat of power.

There must be at least a particular approach to the basic problems before the country. I mean the basic economic policies—I am not speaking on other matters—which cover agriculture and everything else. It is possible that the Ruling Party has all the options before it. It can go the Swatantra way, it can go the socialist way, it can go the centrist way. Now, the Ruling Party has to decide which line it has to pursue.

For example, take the case of public sector. I saw a statement from Mr. Verma about the industrial policy. It is just a repetition of what Shyama Prasad Mukherjee placed before Parliament some 25 years ago with certain minor amendments. Now, the public sector in this country today is not confined to the basic and key industries. It is producing bread and consumer items. As a Member of Parliament I ;

[Shri Bedabrata Barua]

concerned about the fate of the public sector. Unless some policy is made regarding the growth of the public sector the growth of the public sector will be inhibited and if the growth of the public sector is inhibited two possibilities arise. The private sector has to be allowed to grow. My party was not allowing monopolies to grow; my party at least attempted to help the public sector to grow as fast as possible and only to cover the gap in the production big houses were allowed expansion. Even then the share-holding pattern and every thing was changed. Public financial institutions were invited to purchase shares in it. How is it possible today? If the public sector is not allowed to grow if there is no enthusiastic response to the needs of the public sector the private sector is bound to grow as fast as possible. If it is not allowed to grow because of internal contradictions in the Ruling Party then there is going to be

(Interruptions)

I hope there will be no contradictions. I want your Government to function as smoothly as possible. As a Member of Parliament I am trying to tell you that if some elements want to stop monopolies then the public sector

(Interruptions)

SHRI MADHU LIMAYE (Banka)
Did Mr Brijlal Verma say that he was going to de-nationalise the industry?

SHRI BEDABRATA BARUA Mr Madhu Limaye with all respect I would like to tell you that even that most simple statement was withdrawn because it was considered to be the preliminary view of Mr Verma. As a socialist I am saying this. I am not saying as a critic of what is being said. The time for criticism has not come. I want to give all the co-operation that is due from my party. I do not want to stand in the way of

this matter because parties have merged. That is why, I would like to avoid speaking about contradiction. But how can I avoid all that what I quoted from Laski. The political parties have merged. I know the ideology of the Swatantra Party, I know the ideology of the Jan Sangh and I know the ideology of the BLD. But I do not know what is the amalgam. What is the economic policy that has emerged out of this amalgam. I am entitled to know from the Government what is the amalgam of the economic policy which will protect the public sector, which will assist the private sector and which will protect the national interest in both the sectors.

I want the Government to specifically state in the interest of the country's welfare in the interest of the public sector in the interest of the socialist aim of the Government their clear cut economic policy. Unless the public sector is allowed to grow unless the socialist orientation in Government policies is allowed to continue unless the Government makes up its mind and says positively as to how much the public sector will be encouraged and how the private sector and the monopolies will be checked we will be in a very great difficulty. I find a very sad tendency on the part of my friends opposite to still continue to speak in terms of the past. The things have changed and they are in the Government now. As the ruling party they have to place before the country immediately as to what their approach is in regard to various policies of the Government. They cannot go on arguing that they are going to formulate their economic policy. Because their party has won elections I will call it a big party if not a great party. It should be ready in regard to the basic problems like tenancy reforms, land reforms, role of public sector vs private sector etc. Their total silence is rather strange. I would not ex-

pect the Government to keep silence for long

In regard to the Constitution amendments I would like to say a few words. It is true that the ruling party has a mandate today to restore fundamental rights to the people. But it is also true that there was the election in 1971. When our party went to the people in 1971 for a mandate whatever the mistakes that might have been committed later on as to whether social and economic changes should wait upon the discretion of the judiciary we won as much as you won this time.

SHRI MADHU LIMAYE It was a mandate for five years. It expired on the 18th March 1976. The Constitution (Forty-Second Amendment) Bill was passed after the expiry of the mandate. (Interruptions) You did not do anything before 18th March 1976. After that you had no moral right to do anything.

SHRI BEDABRATA BARUA The 1971 mandate clarified that the people wanted progressive measures in the field of land reforms, tenancy reforms and economic and social changes. All this could not be done with a reactionary judicial system. While we do not say that the mandate extends to this day, the point is that our party continued to believe in that type of thing. Therefore in spite of a mandate that has been given to you to restore fundamental rights to the people, they would like to have a progressive Parliament capable of implementing urgent social reforms without being hampered by the judicial political and economic set up. I am saying that with a specific object. When it comes to the question of amending the Constitution, my party will consider each amendment on its merits as to which is essential to the political and the economic life of the country and what is essential to the

progress of the country and what is not essential.

Regarding defections which have now been upgraded to the term "realignment of political forces" I think this is a see-saw struggle between the ruling party and the Opposition in which it suited somebody to take advantage of defection and it suited somebody not to take advantage of defection. We are not afraid of defections. I am not saying that I object to defections as such. The people whom we select or you select defect whenever power goes from one party to another party. They are not even good human beings.

SHRI MADHU LIMAYE How do you explain your own defection to the then ruling party?

SHRI BEDABRATA BARUA When did I defect to the then ruling party?

SHRI MADHU LIMAYE You belonged to the Socialist Opposition; you changed over to the then ruling party.

SHRI BEDABRATA BARUA I never was elected to any Legislature. I am not going to give any explanations personally, but I may say that when I joined the Congress I was not a Member of the Legislature. That is the position and I think people have a right to think over their fundamental approach to the country and change.

But today defection has been upgraded to 'realignment'. I warn my friends on this side and those on the opposite side not to take it very easily. Once you call defection as realignment of forces, you may not stop anywhere. It is not for you to realign the forces; it is for the country to realign the forces. There is always a possibility that directions may change and there may be a realignment of forces in the country, but this sort of 'monkey jumping from one side to the other' must not be upgraded as 'realignment of forces'. Today I don't think the party system in

[Shri Bedabrata Barua]

India reflects the sort of right and left orientation in our politics that is projected from the Government side. It is not true that in the Party system there is a right or left orientation. That orientation has to come and there should be a realignment of forces at some time in the history of India, but this is not the time for that realignment. We, on our part have solid support for our Party and we want to stand by it rock-like. My Party is committed to policies which are leftist policies, socialist policies and in spite of whatever our Leaders are said to have done and whatever aberrations may have taken place we will stand by our Party and will continue to lead the revolutionary masses of India towards progress.

प्रो० शिबब्रतनाथ बरुआ (भारतवासी)

समाजिक महोदय, जब प्रश्न जो बार-बार वह चुके हैं कि प्रेमचन्द की वे चुनाव मुक्त होने चाहिये। यदि वास्तीदुष्ट में प्रेमचन्द न हुआ होता और इनकी सादक 6 गांव न हुई होती, तो बीसे भी वे इन्कलाब दिये थे। हमारी पार्टी इस बात को मानती है कि संविधान में जो त्रुटियाँ हुई हैं उनको रद्द किया जाए, यदि यह रद्द हो जाए तो फिर कोई बजह नहीं है कि हम चुनाव प्रतिस्पर्ध रूप से न कराएँ। क्योंकि पू०गी०, बिहार, पंजाब, मध्य प्रदेश, राजस्थान, तमिल नाडु में आज कांग्रेस के साथ जनता नहीं है, ऐसी अवस्था में इन प्रेमचन्द की कायम रद्द करने का कोई हक नहीं है उनकी 5 साल की सादक पूरी हो चुकी है—इसलिए मैं चाहता हूँ कि वे चुनाव भीष्म से भीष्म होने चाहिये। मैं आशा करता हूँ कि हमारा प्राइम मिनिस्टर संविधान में प्रेमचन्द पेश करके प्रेमचन्दिया में जन्म से जन्म चुनाव बनाने की व्यवस्था करेंगे ताकि जनता की इच्छा पूरी हो सके।

मैंने एड्रेस पर कुछ प्रेमचन्द भेजे थे। शायद वे समय पर नहीं आ सके, इन विदे एग्जेंट में नहीं छपे। लेकिन मैं उनके सम्बन्ध में कुछ शर्तें कहना चाहता हूँ। हमारी

एकीकरण प्राइम बहुत बड़ी है—यह बात मार ली गई है और बादल साहब ने ऐसा भी किया है कि वह जल्दी ही गेहूँ की कीमत बढ़ाने वाले हैं। मैं चाहता हूँ एकीकरण की सब कोई पैदावार इम्पोर्ट न की जाए, क्योंकि हम अपने देश में जब इम्पोर्ट करते हैं, वह बहुत महंगे भव कर करना पड़ता है, अगर हम प्राइम बढ़ा कर इम्पोर्ट प्राइम के बराबर अपनी विमानों की हैं और तब पटुबादे में तो फिर कोई बजह नहीं है कि हमारी अर्थव्यवस्था अपने देश में ही पूरी न हो। हमारा विमान बहुत ज्यादा पैदा करेगा और हमारे देश में कोई बची नहीं होगी।

मेरा गवर्नमेंट में जलकुण्डी योजना के बारे में हमारे सभी लोग बात करने लगे थे। यह योजना बहुत पुराना है और इसको अगर पूरा कर दिया जाए तो राप्ती नदी में भयंकर जनहानि हो सकती है। जिन से हर साल बहुत नुकसान होता है। मैं चाहता हूँ कि इस योजना को और बाधाओं से बचाया जाए। जब यह योजना पूरी हो जाएगी तो राप्ती से जो बाढ़ आती है और गोरखपुर बाँध हो जाता है, वह बाँधी से बच जाएगा। इसलिए जलकुण्डी योजना बहुत आवश्यक योजना है और मैं चाहता हूँ कि नेपाल सरकार से बात करके इस का पूरा किया जाए।

हमें आशा थी कि मैमालेटन में आने वाली गडक बंगाल को रोहि रोवर के नीचे से साइड के जरिये में इस गडक बंगाल को फेरेन्द्रा नदी तक ले जाई जाएगी ताकि बड़ा पर बंगाल का एक जल बिछा दिया जाए और वहाँ के हर एक गांव में प्राव-पाशी हो सके और खेती की पैदावार बढ़ सके। मैं चाहता हूँ कि इस योजना को भी जल्दी से जल्दी पूरा किया जाए। जहाँ नहर न आ सके वहाँ नलकूप लगाए जायें।

इसके अलावा मैं यह कहना चाहता हूँ कि हमारे देश में दूसरी सब से बड़ी काटेज

इंडस्ट्री खाण्डसारी की इंडस्ट्री है। गांधी जी ने इसको, पेट्रोलाइज किया था लेकिन इसके साथ बड़ा अन्याय किया गया है। इस अन्याय को दूर करने के लिए मैं चाहता हूँ कि इसके लिए एक्साइज ड्यूटी कम की जाए। प्रेसिडेंट के एड्रेस में इसके बारे में कुछ नहीं कहा गया है। यह इंडस्ट्री खास तौर से उत्तर प्रदेश में है और इसके रास्ते में बहुत सी बाधाएँ हैं। मैं चाहता हूँ कि इस इंडस्ट्री को संरक्षण दिया जाए और बाधाओं का दूर किया जाए। अगर ऐसा नहीं किया गया, तो इसमें लगे लाखों लोग बर्बाद हो जाएंगे। जार्ज परनेडोज साहब ने रेल हड़ताल में एक भाग रखा था कि सारी इंडस्ट्रीज के अन्दर एक ही बराबर बेज रखा जाए। रेलवेगम को यह भाग भी लेकिन वह मानी नहीं गई। मैं चाहता हूँ कि एक साल इंडिया बेज पालिसी बनाई जाए और शहर इंडस्ट्री में लगे मजदूरों के साथ जो अन्याय हुआ है, उसको दूर किया जाए। उनका मूल्य कम कर 430 रू० होना चाहिए और दूसरी जो इंडस्ट्रीज हैं जैसे कि स्टील, कोय, जूट, टेक्सटाइल, डाक वर्क्स आदि उनके बराबर उनके मूल्य में बेजेज होने चाहिए। मैं चाहता हूँ कि एक साल इंडिया बेज पालिसी लागू की जाए और सब इंडस्ट्रीज के लिए बेजेज एक्ट से रखा जाए।

बोनस जो पहले बर्सेस को सवा पाठ परसेण्ट मिलता था, उसको भी कांग्रेस सरकार ने कम कर दिया है। यह मुनासिब नहीं है।

11 महीने काम करने पर 13 महीने का वेतन मिलना था लेकिन उसको बहुत कम कर दिया है। अगर मुनाफे के आधार पर इसको करना है, तो किसी इंडस्ट्री में अगर मुनाफा ज्यादा होता है तो 15 महीने की तनखाह मिले। वहाँ पर इन्होंने मुनाफे के 20 प्रतिशत में अधिक देने की लिमिट लगा दी है। मैं चाहता हूँ कि पुरानी जो पालिसी बोनस के बारे में थी, उसकी पुनः लागू किया जाए।

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डी० ए० के जो दो इन्स्टालमेंट्स से टूल गवर्नमेंट इम्प्लाइज के बाकी हैं वे फौरन दिये जायें। इसके अलावा एल० आई० सी० के साथ जो एग्सीमेंट किया गया था और वह पिछली गवर्नमेंट ने रद्द कर दिया था और उस के खिलाफ कानून बनाया था, उस एग्सीमेंट को फिर से बहाल किया जाए।

गुजरात हाईकोर्ट ने मजदूरों की तनखाह में बढ़ोती और बोनस के बारे में जो फैसला किया था, उसका ओ० एन० जी० सी० सौ अमल में नहीं ला रही है। मैं चाहता हूँ कि नये मिनिस्टर साहब उसको फौरन अमल में लाएं।

एनूकेशन पर, विशेष कर नर्सरी स्कूलों और दूसरे स्कूलों पर बहुत कम रकम खर्च होगी है। एनूकेशन पर हर्न और अधिक रकम खर्च करनी चाहिए क्योंकि शिक्षा की उन्नति पर दूसरे खर्चों की उन्नति भी निर्भर है। अब तक लोग पढ़ेंगे नहीं तब तक वे भागे कैसे बड़ेंगे। इसलिए सरकार शिक्षा पर दस गुना पैसा खर्च करे।

रेलवे स्टेशन पर जो बर्सेस हैं या घोंघे वाले हैं उनके ऊपर कांटेक्टर्स होने हैं जो कि खोमबे वालों से पाच रुपया रोज ले लेते हैं। मैं चाहता हूँ कि हरेर स्टेशन पर बेन्डम को कोम्प्रेटिव मोमोपटोज बनायी जाए और ये मिडिलमैन हट सकें।

देहरादून में जो फोरेस्ट रिसर्च इन्स्टीट्यूट है वह धाढानामत बोझी होनी चाहिए। उसमें गवर्नमेंट की तरफ से जो दखल दिया जाता है वह नहीं दिया जाए। उसे पूरी तरह धाढो-नोपम बनाया जाए ताकि वह बाड़ी मारल काम करने लायक कर सके और देश में फारेस्ट्री की उन्नति हो।

कच्चे रुखा मिट्टी मावियों के पाम गन्ने का बाकी है जो कि घड़ा नहीं हो रहा है। मैं चाहता हूँ कि यह घड़ा हो। कोई ऐसा इन्वन्वन्व

[प्रो० शिवनमान सायना]

हो जितने मछे का दाम रिगाओं को घटा हो सके । मिन-मानिक मछदूरी को मचदूरी भी घटा नहीं करते हैं । इसके लिए सरकार को इन्तजाम करना चाहिए जितने कि मिन-मानिक शहर इन्डस्ट्री को ठीक से चलाने और मचदूरी को उनकी मचदूरी भी समय पर मिलती रहे । शायद सरकार को मालूम नहीं है कि पन्ड-गन्ड सहीने को मचवाह मिन-मानिकों के पास रही हुई है जो कि घसी मच घटा नहीं हुई है । यह घटा होनी चाहिए ।

हमारे देश में बेरोजगारी की बड़ी जवदम समस्या है । हमारे प्राइम मिनिस्टर ने कहा है कि हम इस समस्या को हल करेंगे । लेकिन मैं चाहूँ कि इसको बार-डुटिम पर हल किया जाए ताकि यह जो देश पर बोझ है यह दूर हो सके । कोई बजह मालूम नहीं पड़ती कि यह समस्या दूर न हो सके । मैं चाहूँगा कि इसे जल्दी से जल्दी हल किया जाए ।

हमारी एन० ई० रेलवे के निपटन डिपार्टमेंट हमारे पास 830 मचदूर धारि थे । उन्हें यह कह कर कि रेल के पास पैसा नहीं है निवाल दिया गया है । मैं चाहूँगा कि उन्हें फिर से बहाल किया जाए । उनसे रेलवे वाले कहते हैं कि हमारे पास पैसा नहीं है । अंका एम. रेट पर बहन कि जंजु जिस रेट पर वे पहले काम करते थे ।

इसी तरह मे मालूम के पन्डर काम करने वाले मचदूर भी मेरे पास धारि थे । उन्हें भी निवाल दिया गया है । मैं चाहूँगा कि उन्हें भी काम पर लगाया जाए । जबकि हम सब को बहाल कर रहे हैं तो कोई बजह मालूम नहीं होती कि उन्हें क्यों न बहाल किया जाए ।

ये कुछ बातें मैंने आपके सामने रखी हैं । मैं प्रार्थना करूँ कि ये बातें पूरी की जाएगी

SHRI S. D. SOMASUNDARAM (Thanjavur): Mr. Chairman, Sir, I have great pleasure in speaking on the President's Address. As referred

to in the President's Address, I request the Government to bring comprehensive amendments to restore the balance of power between the people and Parliament, the Judiciary and the Executive, and the States and the Centre. I am sure, the proposed amendments may keep up the spirit of the effective federal character of the Constitution.

Then, Sir, with regard to family planning, it is essential for the welfare of the country, but the implementation of the programme should not be compulsory. It should be voluntary. We have to educate the people, convince the people and persuade them to accept it and in its implementation.

India is an agricultural country. For the last 30 years we adopted many developmental programmes in the field of agriculture. But now we are importing foodgrains from foreign countries. Why? We should not import foodgrains at the cost of exchequer. I request the Government to fix a steady, fair and remunerative price for the agricultural produce. This will help in raising the standard of living of the farmers. I will also request the government to arrange for timely supply of fertilisers and other agricultural inputs at reasonable price in order to minimise the cost of production of foodgrains.

I am sorry to note that in the Presidential Address, no mention has been made about the Inter-State disputes. In this connection, I request the government to take necessary steps to settle the Kaveri water dispute at an early date. The basic approach for settling the matter is that the supply of water to old avants should not be affected. The Central Government may revive the dialogue with the concerned State Governments and settle the Kaveri water dispute in accordance with the spirit of the 1924 Agreement.

In this connection, I would very much like that river waters should be

treated as national asset. We should not discriminate whether the *ayacut* belongs to Karnataka or whether it belongs to Tamil Nadu. When the Government take a decision, it should not affect any *ayacut*. The other thing I would like to request is that you may consider to amend the constitution so as to nationalise inter-state rivers.

Lastly it has been observed over the past few years that Tamil Nadu is lagging behind in the matter of industrial development. Take the Salem steel plant. In regard to Salem steel plant a go-slow policy is being adopted by the government. I request the Government to speed up and implement the Salem steel project.

SHRI SAKTI KUMAR SARKAR (Joynagar) It is a great privilege for me to speak on the Presidential Address.

First of all I would like to congratulate our Acting President for his brief but bold speech. What he told may not be encouraging to many of us because you know the statement is so brief. But, at the same time his speech cannot be ignored. What he told, he told it courageously. He admitted that the atrocities committed on the people were abundant. In the Congress regime the miseries were untold. These are the admissions of our Acting President. So I want to thank him for that.

I want to highlight about corruption. So many cases of corruption have come for discussion. Janata Party has assured the House that the cases will be looked into and enquiry would be made if necessary. This is really good. But I want to emphasise about the corruption in the political field.

The latest election has proved that democracy has taken its root in the masses. At the same time we should not forget that corruption has also taken its root into the masses. This

is the contribution of the last 30 years regime in India. We could not achieve very concrete results so far as raising of character is concerned. I would like to emphasise that if democracy has taken its root in the masses, corruption has also taken its root in the masses. This corruption should be eradicated. Now, the question is how to do it? I would like to give a suggestion. We representatives of 600 million people have to submit the Return within 30 days. We shall be giving the same in the next few days when we go back to our constituency. I want to say that the Return would be infructuous because the limit prescribed by the Representation of Peoples Act is not pragmatic. In most of the cases the limit has been crossed. The Return which we are going to give is to some extent a mockery. Let us devise some sort of method so that corruption is checked. I would like to say that the Representation of Peoples Act should be completely amended so that the people cannot exercise their right by means of money or with the force of money. My humble suggestion is that the entire election cost should be borne by the Government.

We are very proud to say that we are a Socialist Government. We are proud that we are thinking of socialism. But the election system in our country is not at all congenial to socialism. It is almost capitalist. First of all, I would request all the leaders present here to think over the matter. Our great leader Shri Jaya Prakash Narayan had appointed a Committee. I had acquaintance with Prof. Tarkunde. I met him. He had made suggestions in a booklet. But the suggestions were contradictory.

There is a simple formula by which we can eliminate all the expenditure. I am just explaining by giving an example. Suppose in a Constituency three persons contest. There should be one poster in which the names, symbols and the parties names may

[Shri Sakti Kumar Sarker]

be given These posters should be got printed by the Government The posters may be given to the Gram Panchayat for displaying in conspicuous places In this way the expenditure on the posters can be saved.

Likewise the identity cards or voter slips which we give to every voter can be got printed and can be distributed by the Gram Panchayats

Rigging can easily be avoided if the polling agent puts his signature on the ballot paper before giving it to the person concerned for voting So rigging can be avoided very easily and there are very many simple procedures which can easily be adopted Corruption in election will disappear if we do not allow money to play its part This is very important and we have to see that money does not play any part in election or in any election of public institutions I think the Government and opposition leaders will sit together and think on the necessary changes to be made in the Representation of People Act I think some clauses are going to be changed The hon President has made a reference to this in his Address But that is not enough The whole of the Representation of People Act should be remodelled Provision has to be made whereby money will not play any role At present the Government bears 70 per cent of the election expenditure Why should we allow political parties to incur this sort of fabulous expenditure? If we are really to bring in socialism we should not indulge in such large scale expenditure as the capitalist countries are doing This is my humble submission

I want to plead for the creation of a new ministry for Backward areas There is great disparity between one taluk and another even from one police station area to another police station area Such great disparities are there in a vast country like ours. Regarding Grijans and Tribals and

other backward communities, I feel that they are still in darkness and no concrete improvements have taken place in their living condition. So I want to suggest that there should be a Ministry of Backward Areas and Communities This should be under the direct charge of the Prime Minister if we sincerely believe that socialism is the remedy These people have been exploited for thousands of years and various provisions of the Constitution are aimed at helping these people but nothing concrete has emerged so far

As a member of the Committee of Scheduled Castes and Tribes I have toured throughout the country We have examined various departments and organisations but upto this day nothing concrete has been done So, I request that this must be thought of by the Prime Minister and this Ministry should be created for this specific purpose

Regarding the eradication of poverty, in the last election, Mrs Indira Gandhi announced the slogan which was popularly called *garibi haina*. If you really want to bring in socialism it is very necessary to root out poverty from rural areas I personally made some interesting studies on this issue in Sundarbans area which is a most inaccessible and backward area of our country

Here we started helping the marginal and sub marginal farmers They are emotional people and have many complexes and so they should be taken proper care of Operational research project has to be taken to all backward areas In this area, the hands of Dr Swaminathan who has been entrusted with these projects should be strengthened I personally feel that he is the person—an able scientist—who is trying to touch the problems of the people by undertaking such an operational research project and so I request the Minister through you that his hands should be strengthened

I would request the Agriculture Minister and the hon Prime Minister to take all-out efforts for going ahead with the research and extension work for any development of backward areas. Every region has its own limitations and its own resources and also its own capabilities. These should be identified first. Unless we do that, nothing can be done to develop the area. So far as the Planning Commission is concerned it requires to be reoriented and remodelled.

Lastly, I want to add a few lines so far as my own area is concerned. Sir, I belong to a district called Twenty-four Parganas. And you will be astonished to know that this has a population of more than 85 lakhs. One portion of my district is completely backward. But, in spite of that this has not been taken as a backward area.

When I was a Member in the Fifth Lok Sabha, at that time, Shri Mohan Dharma was the Planning Minister. He assured me then this district would be divided into two parts on the floor of the House. But, so far, that has not been done. I, therefore, request the present government to ask the State Government concerned to give its suggestions immediately so that this district could be divided into two parts. No special attention has been given to the portion called Sunderbans. Unless this is done no technological development of the area is possible. Sir, this area is surrounded by water. The length of creeks and canals is 731 miles and the whole area is protected by embankments to the extent of 2200 miles. Though this area consists of jungles, yet, human beings are living there. And nobody has taken any care about them. The West Bengal Government has set up a Sunderbans Development Board. It is a political consolation. But, nothing has been done by them in the matter of development of this area. I would

request the present Government to take proper care of this area.

With these few words—I do not want to encroach on your valuable time—I convey my thanks to the Acting President for his speech delivered the other day to both Houses of Parliament.

डा० बलदेव प्रकाश (अमृतसर) सभा-पति महोदय, राष्ट्रपति के अभिभाषण पर जो धन्यवाद-प्रस्ताव सदन में उपस्थित किया गया है मैं उसका समर्थन करने के लिए खड़ा हुआ हूँ।

राष्ट्रपति ने अपने अभिभाषण में ठीक ही कहा है कि गन पीने दो सानों में इस देश में जो प्रतिबन्ध लागू किये गये थे, जा सानाशाही लाद दी गई थी और शहरी भाजादी को खरम करने के लिए जो कदम उठाये गये थे, उनको समाप्त किया जावेगा, और उनको समाप्त किया भी जा रहा है। आज ही सदन में दो बिल पेश किये गये हैं, जिनके द्वारा अखबारों में त शत्रु-दिन आपत्तिजनक सामग्री प्रकाशित करने और ससद् की गतिविधियों को प्रकाशित करने पर प्रतिबन्ध उठाये गये हैं। अन्य दिशाओं में भी ऐसी ही कार्यवाही की गई है।

प्रतिपक्ष में बैठे हुए जो मेरे मित्र हैं, आज उनसे अपेक्षा सन कर आश्चर्य होना है कि क्या ये वही सज्जन हैं, जो, आज से कुछ महीने पहले इसी लोकसभा में जब लोकतन्त्र की हत्या हो रही थी, जब शहरी भाजादी समाप्त हो रही थी, जब मीठा में लाखों आदमियों को जेलों में भरा जा रहा था, तब उन वाता का समर्थन कर रहे थे और आज वे माननीय सदस्य लोकतन्त्र की दुहाई दे रहे हैं और शहरी भाजादी के बारे में कह रहे हैं। मैं श्री चव्हाण के शब्दों की बबोट करना चाहता हूँ। प्रतिपक्ष के नेता चोहान साहब ने कहा कि वे व्यक्तिगत स्वतन्त्रता, इंडिविडुअल लिबर्टी के हक में हैं, वे लोकतन्त्र के हक में हैं। वह कौनसी इंडिविडुअल लिबर्टी है जिसमें लाखों आदमियों

[ड. वन्देय प्रवास]

को मिला जैसे कानून के अन्दर बन्द रखा जाए, अशान्ति व दरावाजे बन्द कर दिए जायें और अशान्ति में नाम न आ सके ? वह कौन सी व्यक्तिगत स्वतन्त्रता है ? प्रतिपक्ष के नेता को कौन सी बात ठीक है ? उनकी धारा को चाँच ठीक है या धारा स मान भर छ महीन पहल की बात ठीक है ?

धारा उच्छेद्यता के बारे में क्या गया कि देश के अन्दर उच्छेद्यता नहीं होनी चाहिए । उच्छेद्यता का प्रारम्भ नहीं होना है ? जब देश ५ ऊपर राज करने वाले नेता धारों की छाँट में मान्यता को भूल जायें, परम्परागत की हत्या कर दें, कानून का नाश कर दें तो देश ६ अन्दर उच्छेद्यता पैदा होती है, विरोध पैदा होता है, बिद्रोह पैदा होता है । यही हुआ । इस देश ५ अन्दर जब भूतपूर्व प्रधान मंत्री इन्दिरा गांधी ने खिलाफ रिट पेटिशन स्वीकार कर ली गई, उनकी इस्तिफाजिफाई कर दिया गया तो क्या हुआ ? क्या कानून के आगे निरङ्कुशता गया ? क्या कानून को माना गया ? क्या कानून की दृष्टि की गई ? प्रतिपक्ष में बैठे हुए मेरे दली मित्रों ने उस समय यह कहा कि ऐसे कानून बदल देंगे जो कानून इन्दिरा गांधी की इस कुर्मी पर बैठने से रोकता हो और वह कानून बदला गया, वह विधान बदला गया जिस बात से एक अमंदार धादमी की गर्दन शर्म से झुक जानी चाहिए । उस समय इसी देश ५ अन्दर बेधर्मी का वह नगा नाच हुआ जिसमें उच्छेद्यता ही पैदा हो सकती है, बिद्रोह ही पैदा हो सकता है । क्या हुआ उस समय ? सारे प्रश्नों से बसा मैं और तुम्हें मैं भर भर कर लोभा को लाया गया । यहाँ पर किराये दिए गए । यहाँ पर भगवें डाले गए । जजों को मरिया बना कर जनायी गई । यह कानून की दृष्टि देश ५ उस समय का नेताओं ने की । कहा गया कि हम अपने जजों को नहीं रहने देंगे, हम ऐसे कानून का नहीं रहने देंगे, हम ऐसे विधान को नहीं र-ने देंगे । इस तरह की बेधर्मी का नगा नाच देश

की जनता के सामने हुआ । धारा बंदी प्रतिपक्ष के नेता शमीर के बारे में कहते हैं, इन्फाक और मोहनन्द की दोहाई देने हैं और यह बताते हैं कि क्या होता चाहिए क्या नहीं होता चाहिए ।

मैं आपने सामने यह रखना चाहता हूँ कि एक व्यक्ति को कुर्मी बचाने के लिए सब कुछ हुआ । यहाँ पर कहा गया प्रतिपक्ष के द्वारा कि व्यक्तिता से देश ऊँचा है और पाटिया स भी दग ऊँचा है । यह सरासर गलत है । यह सब कुछ क्यों हुआ ? क्या देश के लिए हुआ ? विधान क्या बदला गया ? क्या देश के लिए बदला गया ? विधान एक व्यक्ति के लिए बदला गया । हाँ, व्यक्तिता से देश ऊँचा है और पाटिया में देश ऊँचा है यह अगर किसी ने सिद्ध किया तो इस तरह बैठे हुए जनता पार्टी के सदस्यों ने सिद्ध किया बिना ने इस देश के हित के लिए अपनी पाटिया समाप्त कर दीं, अपने मते उतार डाले और अपने विधान बदल दिये । भलग भलग विचारधारामों के होते हुए भी जनता के हित के लिए, देश के हित के लिए अपनी भलग-भलग विचारधारामों का बलिदान करने जो धारा एक पार्टी में बैठे हुए हैं वे कह सकते हैं कि देश पाटियों से ऊँचा है । प्रतिपक्ष में बैठे हुए नेता नहीं कह सकते हैं ।

17 hrs.

इसकी बात पर विश्वास कौन करेगा ? कब तक जो कहते हैं कि सजय गांधी से रोगनी मिलती है, कब तक जो सजय गांधी के बूट साफ करते हैं, लाइन लगा कर उसकी कार के दरवाजे खोला करते हैं वही लोग धारा कह रहे हैं कि सजय गांधी को कांग्रेस में बाहर निकालना चाहिए । मुझे एक कादेसी मित्र भूमनगर में मिले । मैंने कहा कि बाखिर चापलुमी की भी कोई हद होती है, कोई सीमा होती है तो वे मुझ से कहने लगे कि मैं तो बहुत छाटा धादमी हूँ, मेरो क्या बात करते हैं, धम्पई की एक जनसभा के अन्दर सजय गांधी की चप्पल गूम हो गई । चप्पल गूम होने के बाद वहाँ के मुख्य मंत्री चप्पल हाथ में लिए दूम

रहे हैं और आवाज दे रहे हैं कि सजय साहब, आप की चप्पल मेरे पास हैं। .. (ध्वजदान)

तो इनकी किस बात पर विश्वास किया जाये, किस बात पर विश्वास न किया जाये। पंजाब में मैं जेल में था। पंजाब में बन्धु के मित्रियों ने मायण दिया कि यह वह नौजवान हैं जिनसे हम रोशनी मिलनी चाहिए। आज वही नौजवान है, वही नेता है, वही लोग हैं जो कह रहे हैं कि इन चार आदमियों को कांग्रेस से निकालना चाहिए। आज उनकी ब्रेडबिलिटी, विश्वसनीयता समाप्त हो गई है क्योंकि उन्होंने वह कारनामे किए हैं जिनका अंगरेजों में वर्ण करने लगे तो पता लगेगा कि क्या कुछ हुआ है। जब इंग्लैंड लगी तो देश के नेताओं को पकड़ कर जेल के अंदर रखा गया। किसी को अंगरेजों पकड़ा गया तो शाम तक पता नहीं कि क्या हो रहा है। हमने एस पी से पूछा कि क्या जुल्म किया है, किस दफा में पकड़ा गया है तो उन्होंने कहा कि अभी दफा का पता नहीं है, जुर्म का पता नहीं है, बन्दीगड से दिल्ली की होम मिनिस्ट्री की बातचीत हो रही है, जब ऊपर से डापरेकेशन आयेगा तभी दफा लगाई जायेगी। (अवधान)। शाम तक एस पी ने बताया, इसेफेक्टर ने बताया कि हमारी गद्दीन शर्म से झुक रही है, आप लोगों पर जो बेश बनाने जा रहे हैं उसकी कोई बुनियाद नहीं है, उसका कोई आधार नहीं है। किसी एक व्यक्ति से दरखास्त ले कर कि फलानी जगह पर फलानी आदमी रह रहा था कि गाड़ी उलट दो, हम ही आई आर में आप पर बेश बना रहे हैं लेकिन हम मजबूर हैं क्योंकि हमारी नौकरी का सवाल है। क्या यही इस देश का राज चलाने का तरीका है? क्या इसी तरह से इस देश में सोवियत चलेगा? क्या इसी तरह से यह देश उन्नति करेगा? मैं कहना चाहता हूँ कि इस तरह की बातें दोहराई न जा सकें इसलिए इनकी इजाजत होनी चाहिए। हम लोग जेल में गए इसका हमें कोई दुःख नहीं है। अंगरेजों के हित के लिए 19 महीने तो क्या 19 साल भी

जेल में रहना पड़े तब भी जनता पार्टी का कोई व्यक्ति परहेज नहीं करेगा । लेकिन जिन्होंने वादून की हत्या की है, जिन्होंने इस तरह के कारनामे किए हैं उनको इन्क़ाबरी भी होनी चाहिए । मैं आपको बताना चाहता हूँ भ्रमरसर जेल में एक आनन्द मार्ग के स्कूल टीचर पकड़ कर लाये गए, उन पर उन्होंने 302 का केस बनाया । जो पुलिस सब इस्पेक्टर या वह रोकर कहता था कि बिल्कुल गलत केस है, झूठा है, बेवुनियाद है लेकिन मरी मजबूरी है मैं 302 के अलावा और कोई दफा नहीं दे सकता । पता नहीं कौन मरा और कहा से लाश ले आये । अभी तक केस चल रहा है । लोग जेलों में पड़े हैं । मैं पूछना चाहता हूँ यह सरकार का काम है ? इतना झूठ, इतना परेव कि एक निर्दोष व्यक्ति पर हत्या का केस बनाया जाये, क्यों और किस लिए ? भाज जनता यह सब बातें जान चुकी है । जब मैं जेल में था, प्रधान मंत्री के बयान होते थे कि सभी लोग छोड़ दिए गए हैं । इतना परेव और झूठ इस देश में चला । तो उन सभी अत्याचारों की जांच होनी चाहिए । जेलों में लोगों की मृत्यु हुई है । बण्डीगढ़ के हमारे बार एसोसिएशन के प्रधान श्री लखन पाल की मृत्यु जेल में हुई और काम दूसरे लोगों की हुई । अभी अभी एक फिल्म अभिनेत्री, स्नेहलता की ऐसी सिचुएशन में मृत्यु हुई जिसकी कहानी सुन कर हृदय वरणा से भर जाता है । भाज जनता पार्टी की सरकार बनी है, मैं मांग करता हूँ कि जिन अपराधियों में जिन मन्त्रियों के आदेश पर यह अत्याचार इस देश की जनता पर किए हैं उनको विधिकत इन्क़ाबरी होनी चाहिए और उनको सजा भुगतनी चाहिए । उनको जेलों में भेजना चाहिए । मोसा में नहीं बस बानासदा बाननी कार्यवाही करने उनको जेल भेजना चाहिए ।

५. मैं एक गलत शीर कहना चाहता हूँ।
चन्द्राण साहब ने कहा कि हमने हार मान
ली थीर उससे सबब सीख रहे हैं लेकिन

[डा. बन्सः प्र. 13]

42वां संविधान संशोधन वांछित हो यह 13 हम मज़ूर नहीं है। जनता के सामने जनतंत्र विलुप्त साफ़ था और जनता का फ़ैमला, जन का निराश, जनता का पतन विलुप्त साफ़ है—जनता ने एमरजेंसी के विरुद्ध में बोट दिया है, इस बात का नज़र के विरोध में बांध दिया है, जनता ने 42वां संशोधन के विरोध में बांध दिया है। इस देश की जनता का फ़ैमला धमकिया है, वगैरह ग़ब-ग़बदे के है। ये सामने बड़े हुए साफ़ उस का बापस मन को तैयार नहीं है लेकिन देश को 62 करोड़ जनता की अशांत न ता फ़ैमला दिया है, इस देश को उस फ़ैमला का मानना पड़ेगा। आज नहीं ता वन 12 का संशोधन रद्द होगा और जनता पार्टी इस का रद्द कराकर चैन लगे। अगर जनता न यह फ़ैमला न किया होगा, तो भूतपूर्व प्रधान मंत्री इस स्थान से उठकर घर बापस न गई होती। अदालत के पिछले फ़ैमला को उन्होंने ठुकराया, उन्होंने बापस बापस, रहने के लिये देश का ही बदन बना, लेकिन वे कुछ नहीं कर सकी और उन को छाड़ कर जाना पड़ा, इतना ही नहीं कि यहाँ से उठकर उधर जाती उन का—इस भवन से ही भाग जाना पड़ा, बाकि इस देश जनता ने जा फ़ैमला दिया था उस को बदला नहीं जा सकता था, उस फ़ैमला के खिलाफ़ कोई अदालत स्टे नहीं दे सकती थी, उस के खिलाफ़ निर्णय नहीं दे सकती थी—इसलिये कि वह 62 करोड़ जनता का फ़ैमला था।

एक माननीय सदस्य प्रश्न मंत्री ने गोपनीय साहब का उत्तरजन इसी आधार पर लगा था।

डा० बल्लभ प्रसाद जी हाँ, गोपनीय साहब का उत्तरजन इसी आधार पर लगा गया था, लेकिन आज जनता का फ़ैमला शरफ़िदाय भाव दि वाल है, दीवार पर लिखा गया फ़ैमला है। आज कोई सदस्य चाहे उधर बैठे या इधर बैठे—अगर हम मानते

हैं कि जनता मुसीबत है तो जनता का फ़ैमला भी मुसीबत है—यह बात हम को माननी पड़ेगी।

सभापति महोदय, हम ने धरने धोपया पत्र में कुछ बातें कही हैं—आज हमें उन को पूरा करना है। हमें सम्मानना सानी पड़ेगी, जीवन के हर क्षेत्र में सानी पड़ेगी। 30 साल का कांग्रेस सरकार को हुकूमत के दौरान सम्मानना नहीं आई, विपमना बड़ी है। गरीब ज्यादा गरीब हुआ है और अमीर ज्यादा अमीर हुआ है। जीवन के किंगी भी क्षेत्र को ले लिये—जिस के पास पैसा है, उस का सभी साधन और मुष उल्लब्ध है। मामूली भी तालीर के लिये अमीर आदमी 500-600 रुपये राज खर्च कर सकता है, बड़े-बड़े शासकों की मर्यादा प्राप्त कर सकता है, लेकिन एक गरीब आदमी, जिस के पास पैसा नहीं है, उस को अस्पताल में भी घुसने मिलने है, जमीन पर पड़े रहने के लिये भी जगह नहीं मिलती है। पिछले तीस सालों में कांग्रेस सरकार ने इस दिशा में कुछ नहीं किया। मैं जनता पार्टी को सरकार से माग करता हूँ कि जीवन के हर क्षेत्र में समभावता का दूर किया जाए। शिक्षा के क्षेत्र में आज अमीर आदमी का बच्चा बड़े बड़े पब्लिक स्कूलों में जाकर पढ़ सकता है, लेकिन एक गरीब आदमी आज टाट पर भी बैठा कर अपन बच्चों को नहीं पढ़ा सकता—पिछले तीस सालों में यही असमानता पैदा हुई है। हम ने जनता में बापदा दिया है इस लिये मैं अपनी सरकार से कहना चाहता हूँ कि हमें यह वादा पूरा करना पड़ेगा।

हम, न अपने प्रेसिडेंट के एड्रेस में कहा है कि पिछले 30 सालों में भूतपूर्व सरकार पीछे का पानी भी मुहिया नहीं कर सकी है। मैं आप के सामने एक चिट्ठी रखना चाहता हूँ जो होशियारपुर कास्टीकुएन्सी के एक गांव में आई है, पंचायत के सारे मेम्बरों ने उस पर दस्तखत किये हैं और उस के साथ ही उन्होंने

पानी को एक भीषी में भर कर भेजा है ताकि उसे देश की सर्वोच्च सस्था के सामने पेश किया जाय और ध्यान की यह मालूम हो सके कि हमारे बच्चे किस तरह का पानी पीकर स्कूल जाते हैं, इस से उन के अगिर में कितना इम्फेशन होता होगा, कितनी बीमारियाँ पैदा होंगी होगी। उन्होंने यह पत्र प्रधान मंत्री जी को लिखा है इस की एक प्रति में हाउस के टेबिल पर रखना चाहना है और यह माग करता है कि जनता पार्टी घड़े-घोड़े समय में जनता को पीने का पानी उपलब्ध कराये और मुझे विश्वास है कि यह काम प्रबन्ध होगा—इसी आशा से मैं इस बात को यहाँ पर कह रहा हूँ।

सभापति महोदय, यहाँ पर कुछ धाते हमारे कर्मचारियों के सम्बन्ध में कही गई है—विशेषकर कम्पलसमेंट डिपोजिट स्कीम के बारे में। अभी तक इस के बारे में सरकार की तरफ से किसी नीति की घोषणा नहीं की गई है। मैं चाहता हूँ कि सरकार इस के बारे में जल्द में जल्द अपनी नीति स्पष्ट करे और इस कम्पलसमेंट डिपोजिट को फौरन समाप्त किया जाय। बीनस के बारे में प्राप की नीति स्पष्ट हमी चाहिये, क्योंकि इस बारे में हम अपनी जनता के साथ, कर्मचारियों के साथ वचनबद्ध हैं।

सभापति महोदय, मैं अपनी सरकार को बधाई देना चाहता हूँ इस लिये कि जिन रेल कर्मचारियों को विक्टिमिडाइज किया गया था जिन के नौकरों से निकाल दिया गया था—मुझे धन्यवाद के बारे में मालूम है, उनके परिवारों की बहुत बुरी हालत हुई थी—उन सब को नौकरी में बहाल किया गया है। पोस्टल डिपार्टमेंट में सब को बहाल किया है लेकिन एक बात और, हुना चाहता हूँ कि हमारी प्रान्तीय सरकारों में भी अपने महकमे के बहुत से लोगों का इसी तरह में निष्काशित किया है, इसी तरह में निष्काशित है। उन को तीन बहस करने ? प्रश्नों में मंकी तब फ.सेन की सरकारें हैं वे अभी तक बिजने-

माइजेशन पर तुली हुई है। मैं सरकार को बताना चाहता हूँ कि धन्यवाद इन्फुमेंट ट्रस्ट के सारे कर्मचारियों को, जिन को अभी रिटायर होने में समय बाकी था, इमर्जेंसी लगते ही जबरन रिटायर कर दिया डिस्मिस कर दिया गया आज जब वे लोग व्यायालय में गये हुए हैं हमारी सरकार की तरफ से उन पक्षों की तरफ में सभी प्रान्तीय सरकारों को आवश्यकता जाना चाहिये, हिदायतें जानने चाहिये कि जिन लोगों को इमर्जेंसी के दौरान जबरन रिटायर कर दिया गया था उन के कैमेज को दोबारा एम्प्लॉय कर के उन को बहाल किया जाय।

सभापति महोदय, याजनाभा के बारे में यहाँ पर कहा गया है और प्रिनसिपल क मित हम म बार बार यह माग कर रहे हैं कि हम बताए कि हम न उन पांच मान दिया म बीन सी अति, बीन सी याजना बना कर रखी है हालांकि विल मंत्री महोदय न विलकुल स्पष्ट कह दिया था कि सरकार का बन हुए केवल 3 दिन ही हुए हैं और अभी कोई नई योजना, कोई नई प्रोजेक्ट हम हाउस के सामने नहीं रख सकते हैं। बाद में योजनाएँ बनेंगी और ऐसी योजनाएँ बनेंगी जिन जनता के हित में होंगी। लेकिन एक बात मैं बताना चाहता हूँ कि जब तक जिन योजनाओं पर इन को बताना है वे क्या है। वे हैं इन का 20 प्वाइन्ट प्रोग्राम और 5 प्वाइन्ट प्रोग्राम, जिन का मैंने मुनत हमारे नान कर गये हैं। वह इन का आर्थिक प्रोग्राम है जोकि टांग और परे। वे प्रस्ताव और कुछ नहीं हैं। हर फाइनली म उन के लिए स्वीडन से ली जाती थी और बड़ा बड़ा पीठा जाता था कि क्या एम्प्लॉयमेंट ने इस का समर्थन किया है, रिजर्वाला ने इस का समर्थन किया है और पता नहीं किम किम के समर्थन का इन्फोने बड़ा पीठा है। मुबहु से ज्ञापन तक यही बात सुनाई देती थी। पहले 4 प्वाइन्ट प्रोग्राम था और 20 प्वाइन्ट प्रोग्राम था। ये दोनों मिल कर बन गये 420 प्रोग्राम। बाद में चार से पांच प्वाइन्ट प्रोग्राम हो गया और इस का इन्फोने एक मन्थन सा बना दिया

[ड० बलदेव प्रसाद]

था। जेल के अन्दर एक यह भी बात हो गई थी कि पुलिस जिस को पकड़ कर जेल के अन्दर ले जाती थी उस से कहलवा लेती थी कि मैं रीढ़रा जो का समर्थक हूँ और मैं 20 प्वाइन्ट प्रोग्राम में विश्वास रखता हूँ थड़ा रखता हूँ और उस के बाद उस की रिहाई हो जाती थी। इस तरह से बहुत सारे आदमियों को पकड़ा गया और छाड़ दिया गया। एक आदमी मजिस्ट्रेट साहब के सामने आया और उस ने कहा कि हुजूर मैं 30 प्वाइन्ट प्रोग्राम को मानता हूँ। उस ने कहा कि 30 में से 20 प्वाइन्ट तो प्रधान मंत्री का हैं पांच उन क सड़के का हैं और पांच पीत के। आप मर्दाने रिहाई करा। इनो आर्थिक प्रोग्राम को लेकर ये जनता के सामने आए ये और दो सालों में इन्होंने यकीन किया था। क्या दो साल के अन्दर इन से जनता का हित हुआ है यह आप बताएं। इन प्रोग्रामों से क्या लाभ हुआ था। अगर इन प्रोग्रामों से लाभ होता जैसा कि आप कहते हैं कि इन रिकवरी लीगा को दे दिये इतना किमाना को लौन दे लिया इतनी जमीन दे दी और इतने भूदान दे दिये, तो जनता इस हुकूमन को इस तरह से उखाड़ न फेंकती और भूखूब प्रधान मंत्री को पूरी तरह से ठुकराया न होता। 20 प्वाइन्ट और 5 प्वाइन्ट प्रोग्राम को जनता ने इन चुनावों में गद के अन्दर फेंक दिया है। जनता ने इस दाग को समझ लिया और उन लोग को पूर्ण तरह ठुकरा दिया है।

अन्त में मैं यह कहता हूँ कि जनता पार्टी को भी लाया का विश्वास प्राप्त करना होगा और जो कार्यक्रम, जो प्रोग्राम जनता पार्टी ने अपने घोषणा पत्र में दिये हैं उन सभी प्रोग्रामों का ध्यान बाने पांच वर्षों में हम पूरा करने वाले हैं क्योंकि 6 साल की जगह पर 5 साल की लोक सभा की अवधि हम करने वाले हैं। घाने बाने पांच साल में 6 वर्ष घाना को हम पूरा करना होगा।

समाप्ति महोदय मैं एक बात और कहना चाहता हूँ। अगर ये प्रोग्राम पूरे नहीं हुए और जनता को विश्वास नहीं हुआ कि हम जो

कहते हैं वह नहीं कर रहे हैं। हमारी बयान और बरती में फर्क है। हम इमानदार नहीं रहें हैं। हम अपनी स्वायत्त के लिए निजी स्वायत्त के लिए जनता को लूट लूट कर खा रहे हैं। अगर जनता को वह विश्वास हो गया तो समाप्ति महोदय मैं आपसे कहता हूँ कि हम जनता पार्टी के लोग इन कुत्तों पर बेजबान और डिग्री के साथ बिजने नहीं रहेंगे। हम जनता के साथ कह देंगे कि अब हमें छुड़ी दीजिए।

समाप्ति महोदय मैं यह वाक्य और यह भीगी आरती अनुमति से समा पटल पर रखा है।

MR CHAIRMAN You cannot lay it on the Table without my permission.

आप हमें मंत्री महोदय के पास भिजवा दें।

ड० ब० बलदेव प्रसाद माननीय इस स्वायत्त मंत्री के पास भिजवान की कृपा करें।

SHRI C. M. STEPHEN (Idukki)
Mr Chairman, Sir the Address of the Vice President acting as President honestly left me disappointed. This Address does not contain anything worthwhile. In accordance with the convention, the President has spoken on behalf of the Government. But it is an accepted convention that when the President makes an Address, he does not make any defamatory or derogatory remarks about the previous Government. The President of India, the Rashtrapati, is a continuing institution. He represents the unity of the Nation, the continuing entity of the Nation and as and when the Governments come he speaks on behalf of that Government. Therefore it is a principle or convention generally followed that the Ministry does not make the President to speak in terms critical of the Government which he represented only a week back. But while going through this Address I find that this convention has been violated. The President has been

made to speak in derogatory terms with reference to the Government which he represented before the elections I wish this bad convention was not set up by the Government in power. On the other hand the President is expected to give a picture of the state of the Nation as at present and is also expected to give certain indications of the lines of the policy which the Government will be following in the subsequent years. Now this Address is absolutely silent about both. We do not get any statement of what the state of affairs of the Nation today is on the economic front, on the international front and on the general condition prevailing in the country. Therefore what should have been a report of the state of the Nation that part as far as this Address is concerned is silent. Rather the President lays special emphasis on abrogation of certain acts and nothing more. Well, the Janata Party the leadership of Janata Party is not a sudden creation. They have their own ideas as to how the Government will be functioning and what the social and economic policies will be projected. Therefore the plea that they came to power only a few days back is not a valid plea of excuse or the commissions mention what the general policies will be.

1720 hrs

[SHRI DHIRENDRANATH BASU in the Chair]

It means that they are completely blank in their minds as to what they are going to do tomorrow. When an Address of that type is presented it becomes difficult in consonance with conscience to express a Vote of Thanks to him. We can express a Vote of Thanks to the President only if the policies are spelt out and if the policies have found acceptance. No policies have been spelt out. There are four items which are emphasized, viz. that the Maintenance of Internal Security Act will be ab-

lished that the presentation of the People's Act will be amended that the Prevention of Publication of Objectionable Matters Act will be repealed and that legislation will be introduced to ensure that political and social organizations are not banned. Are these very momentous things are these momentous enough to find a place in the President's Address? Are these the only things which according to the Janata Party call for rectification? If these are the only things which according to the Janata Party call for rectification from out of the doings of the Congress in the course of the last six years then one must concede that the doings of the Congress have not been so bad as they are trying to make out.

In a Presidential Address which covers 4 pages this is all that is stated. Therefore I find it difficult to say that I thank the President for his state of the nation message. As a message to the nation as a statement of the condition of the nation this Address has completely failed.

As I said the Address should not have been critical about what the government did or to be more specific government should not have done the indecorous act of making the President criticize the government on which he himself presided. This is a thing which generally any President's Address would have avoided. But this convention is violated. I am here only to appeal that this dangerous precedent should not have been set up and should not be pursued. Here it is stated:

'The General Election just concluded has effectively and decisively demonstrated the power of the people the vitality of the democratic process in India and the deep root that it has taken.'

Well Sir it is a statement of fact. But this statement of fact has been made after every election. After all, Indian democracy did not fall from

[Shri C M Stephen]
the blue Indian democracy has a dynamism of evolutionary growth. We started in this journey of democratic experiment from the day we knocked out as a republic. Election after election proved that Indian democracy has come to stay. Election after election the percentage of polling has been going up except for one year or so—and gradually mounting up. People have been becoming conscious. Verdict was being given and the Congress was being voted out of power. It is not for the first time. May be from the Centre it is. But in the different States during 1967—and before 1967 the Congress was being voted out of power. The Communist Party was being voted into power. Parties which were being voted into power were being voted out of power. This shows that the Indian democracy has an in-built dynamism of its own.

Having stated that should not the Janata Party concede that the Congress has been guiding the destinies of this country—when I say Congress I find many of my comrades on the other side they have been Congressmen and the only difference between them and us is this we are people believing in the destiny of this party, people believing in the destiny of the nation believing that this party can take the nation to its great destiny and some of us are holding back in the party whereas may be out of frustration and may be out of impatience some of our comrades have left the party and gone into some other party. But when you say that the democratic process has come to stay in this country you must concede that the Congress in the course of the last 30 years has been making its own contribution, to make democracy flourish in this country and that in spite of the Emergency being there whereunder the Congress could have delayed the elections under the law that was already passed the elections were ordered. (Interruptions)

It could have been delayed still further but the election was ordered

That itself shows the deep faith of this nation, of which Congress is also a part like others are also parts and the contribution made by it for this democratic process.

It is stated that the people have given a clear verdict in favour of individual freedom, democracy and the rule of law. May I make a submission without being misunderstood? For one thing what exactly is the verdict I have my own doubts. Look here we on this side present a peculiar picture which you better try to understand and analyse. The entire Kerala is on this side so also the entire Karnataka, Andhra Pradesh and Tamil Nadu. Then where is the clear verdict? I am not raising the north-south controversy far from it. The verdict has come and I for one agree the verdict is for individual freedom, for democracy.

But who violated the individual freedom? If you would bear with me I have only to quote the speech delivered by Babu Jagjivan Ram, when he moved the resolution before the House for the acceptance of the Proclamation of Emergency. I have got the entire speech with me here. In that speech he has put forward the charge that individual liberty was violated by the opposition that democracy was undermined by the opposition and that the fundamental rights were corroded by the opposition. Therefore according to him, in order to safeguard democracy to protect individual liberty resort to the provisions of the Constitution which permit the promulgation of emergency had become necessary. So these were the events which led up to that.

I for one fought the elections on the question of emergency. I wanted a verdict of the people on the basis of the emergency. All of us in Kerala campaigned on the basis of the emergency. We said that democracy is in danger by the movement which was

[Shri C M Stephen] - taking place in Bihar, where people were being harassed individual liberty was in jeopardy by the movement that was taking place in Gujarat. We said that by the threatened gherraoing of Parliament and the State Legislative Assembly, democracy was in jeopardy. So I asked the people whether gherraoing Parliament or the State Assembly is a democratic right or parading a Legislator in the streets and forcing him to resign his seat is a democratic right. Is not the individual liberty entitled to be protected against that sort of thing? If in order to protect that democracy and that individual liberty, resort to the provisions of the Constitution relating to the declaration of emergency had to be made would you or would you not accept that? That was the question which I put to the electorate.

When Shri Morarji Desai was asked a question after the election, how did it happen that the south gave a verdict different from that of the north, his reply was may be, rigours of emergency were not as severe or as great in the south as in the north. Therefore, what follows is that the emergency as such without those rigours was not opposed by the people. (interruptions) I do not know whether family planning or enforced sterilisation was part of the emergency. . . (interruptions) I entirely agree with the analysis of Shri Morarji Desai. Therefore, emergency for the purpose for which it was enforced was approved by the people. So, it was not a disapproval of the order of emergency. What the people revolted against were certain actions which were taken under the cover of emergency in certain areas.

What I am saying is that I do approve of this statement, but for entirely different reasons. Government have published a statement to show that the people have condemned what followed emergency. According to me the people in my area accept-

ed the upholding of individual freedom the upholding of democracy, and were against the use of concerted force against democracy and the coercing of parliamentarians. According to the Government the people have given their verdict upholding and individual freedom, but they emphasize that it is following the emergency, but I am making the same charge against the opposition which operated before the emergency. I am not making a new statement, I am just reminding you of the statement that Babuji made on the floor of the House.

According to me, democracy cannot function if you gherao Parliament, if you offer hunger strike on the floor of the House, if you force legislators and parliamentarians to resign their posts, democracy cannot function if you call upon the people not to pay taxes to the Government elected by the people democracy cannot function if you use concerted force against the Government which has been elected by the people democracy can only function if there is discipline and acceptance of the verdict of the people.

People have given their verdict, they have elected you. We are behaving as a responsible opposition. Our contribution hereafter will be to demonstrate to the world how a responsible opposition must function. There will not be such incitements as were seen here in the last Parliament, those scenes which some of my friends will remember. From here there will not be those scenes. Hereafter there will be no necessity for MISA because the Congress is in the opposition. We do not believe in the sort of operation for the suppression of which MISA is necessary. If you do not resort to violence, if you do not resort to subversion to the use of terrorism, this sort of measure will not be necessary.

Therefore the condemnation of the people was of both sides. As far as I am concerned, as far as my area is

[Shri C M Stephen
concerned condemnation was of the sort of agitation that was brought about which necessitated the promulgation of the emergency. May be in some other areas it was condemnation of the misuse of the powers which the emergency gave. So I subscribe to the statement not in the sense that the Government does but in a different sense. Certainly upholding of individual liberty and democracy is sacred to the minds of the people. Whoever may violate it be it the opposition or the Government the people by their verdict have said that they shall not do it.

This was the issue which we honestly put forward in my constituency in our pamphlets and speeches. "Do you approve of the emergency as you know it or not?" And they have upheld the proposition.

The Address says

"The traumatic experience of the last two years during which many atrocities were committed on the people and they had to undergo untold sufferings."

Two years goes beyond the period of the emergency which was there for only 19 months. So I shall go further than that. Certainly atrocities were committed on the people and they had to undergo untold sufferings but at whose hands? You will say at the hands of the Government. I will say at the hands of the opposition, going behind the period of the emergency. In Bihar in Gujarat, in different areas untold sufferings were inflicted on the people by the concerted action of the opposition. By calling for a railway strike many things happened. This is our case. I am reiterating it. You created a situation in which resort to an extraordinary measure contemplated by the Constitution became necessary. Promulgation of an emergency if not an undemocratic act. If you say that promulgation of the emergency is an undemocratic act you are condemn-

ing the Constitution of India as undemocratic.

The Constitution provides for the proclamation of emergency in a particular situation. If the Constitution permits the proclamation of emergency in a particular situation, if you are going to condemn it, you will be entirely condemning the Constitution of India itself as undemocratic. The only question is whether it was justified under the circumstances prevailing then. The circumstances you have stated are that you will carry out the mandate given by the people. You have also stated that you are to fulfil, in every way the mandate given to you by the people. The mandate you have stated, is the rule of law. That is the mandate which you have stated. What do you mean by the rule of law? Let us say the rule of law is to withdraw a case against a person from the court. A dynamite case was before the court of law. The matter was before the court of law. It was under investigation. The case was started in Gujarat when the Congress Government was not in power. In Gujarat it was investigated dynamite was discovered and the evidence was collected. That case was put before the court. You believe in the rule of law but you had no difficulty to withdraw such a serious case from the court rather than abide by the verdict of the judiciary. You do not have the moral courage to face the judiciary. You ran away from the judiciary. Is it the rule of law or is it administrative arbitrariness? The other day you said that you will not indulge in which hint. Let every body remember that he is sitting in a glass house. We are not used to the practice of throwing mud on other people.

I have only one thing to say. I remember to have read that a woman was caught for adultery and brought before Christ. When some people said that she must be stoned the master said "He that is without sin among you let him first cast a stone at her." I am not saying this in order

to avoid any attack on this side, but let every body examine himself. Let Mr Gupta, who moved the resolution, the other day look to himself, let everybody look to himself. He who has not sinned will not receive stone. We have absolutely no apology about it, but what is the task before the country? This euphoria will end.

You will have to face the hard realities of the situation. We wish you all progress. India must progress. The people of this country have given you the power to rule this country. On you depends the future of this country. We are all part of the country. The country must progress. Therefore we wish you all progress and we shall do everything to make your working feasible possible and good. If you fail India fails. Therefore, you must not fail, you must succeed, because you are accepting that sort of policy that is now enthroned. If that is the policy, I have got my own doubts.

I heard a learned friend who had appeared for the smugglers and other people speaking. He was saying that Parliament's despotism must be ended. What a wonderful thing to hear on the Floor of the House? Legislative despotism must be ended. And what should be enthroned? The judicial despotism must be enthroned and the Anti-Smuggling Act must be abolished. And then comes the heaven when there will be no smuggling, judiciary and Parliament will be given a place of honour in the society and the rule of law will prevail. Under that, whatever does not suit you you will withdraw from the court and whatever suits you you will proceed with it. Your smugglers will have their own place in this country. I wish you all success. May this sort of policy succeed. But the hard realities of the situation are before us. Therefore I say that this Address has failed to outline what they mean to do that this Address has stated certain things which are not in conson-

ance with the conventions laid down and which the President should have stated and that this Address has tried to interpret the result of the elections in a manner which will go to the advantage of both to you and to us, because this sustaining of liberty and democracy was done by the people, according to us as a condemnation against your actions before the Emergency and according to you as a condemnation against our actions after the Emergency. Both have been punished and both have been sustained. To that extent it is true. Otherwise it is absolutely wrong.

Now the Janata Party has come in. The two-party system is developing. If it develops it is all the same. We have seen enough of it. Such an experiment is not a new thing to us. In Kerala we have seen it. My hon. friend Mr Madhu Limaye was saying that the Swatantra party man has become the Janta party man that the Janta party philosophy is accepted by him. I have never thought that a political philosophy which one has cultivated all one's life, as a part of one's life, could be changed overnight—a Swatantrite becoming a Socialist, a Socialist becoming a Swatantrite, a Gandhi-ite becoming a Jana Sanghi, a Jana Sanghi becoming a Gandhi-ite. Is it a Midas touch which converts everything into gold? I have only heard of Midas touch. But here is another touch. What touch it is I do not know.

Then I come to extra-constitutional powers that are being developed. I do not want to offend anybody. The people talk about Mr Sanjay Gandhi. I have all respect for J. P. I do not want to go into all the details. The time will reveal everything. Is it not an extra-constitutional power developing by issuing statements and giving directives? About the dissolution of Kashmir Assembly a report can go to the Rashtrapati. But a copy goes to the Jashok Hospital. J. P. holds a press conference and tells you how things should be done. Is that not a philosophy of extra-constitutional powers that you are developing? The

[Shri C M Stephen]
leader of the party was being elected not by consensus not by election but by extra-constitutional power. I am saying this not by way of condemnation. I am only saying that there is a third party watching the whole thing. If you condemn extra constitutional power we are with you. The extra constitutional powers must be condemned. Please don't develop the philosophy of extra-constitutional powers.

SHRI NARENDRA P NATHWANI (Jaisingh) The extra-constitutional power exercised by Mr Sanjay Gandhi lay in instructions amounting to issuing orders to go receive and honour Mr Sanjay Gandhi. It is different from paying homage or respect to J. P. who wields only authority. Paying homage or respect voluntarily is one thing and doing so compulsorily is another thing. Why don't you distinguish between the two?

SHRI C M STEPHEN I am not condemning. I am not criticising. I am only pointing out to show that what you are doing is developing into something which goes against your pretensions. I am not in a mood of condemnation. I am not in a mood of criticism. I am only in a mood of cooperation and trying to point out to you that things are being written on the wall which will go against the pretensions that you are making now.

With respect to other things, abrogation of MISA and other Acts we will give our views at that time. The Indian National Congress, with its diminished strength is here. But remember, when you are at us when you mock at us, I say we are not here as a divided people. In Kerala in Tamil Nadu, in Karnataka, in Andhra Pradesh we hold the fortress and we have come victorious. We held a position and that position was upheld by the people there. The other part of India took a different position.

This we must try to examine. That is all I wanted to say. If you are not afflicted with political blindness and if you are keeping an open mind, I hope you will look at the true picture that is developing. Let us try through cooperation, with the peasants of India on the one side and other friends on the other side to build up India from the past to the future—not by abrogating the past and starting from today but from the past to the present and from the present to the morrow so that the India which we have been developing over the last 30 years (when I say 'we' I include my friend Shri Mishra and many other people who together developed India) is continued to be developed as per its history and its traditions.

With these words, I am sorry to say that I cannot support the motion by reason of the omissions and commissions in the Address of the President.

SHRI ASOKE KRISHNA DUTT (Dum Dum) Mr Chairman I rise to support the Motion that has been so ably moved by my friend Shri Karpoori Thakur. The Indian democracy has often been described as the biggest democracy in the world. In the last Election it has been proved that it is not only the biggest democracy but it is one of the most mature democracies in the world. For several years people were harbouring doubts about the Indian electorate particularly, in the last 20 months of Emergency the country had come to such a pass that people thought that democracy had disappeared from the country altogether. This Election has proved that the Indian electorate is not less mature than the electorate of any other country in the world. For twenty months we had lost our freedom of speech we had lost our civil rights. But now a peaceful transformation has come about which is a unique revolution. I feel that nowhere else in the history of the world has dictatorship been removed through the ballotbox. It is a unique achievement.

[Shri Asoke Krishna Dutt]
of the Indian electorate that they silently but forcefully through the ballot papers and without a single bullet removed the dictatorship which they tried to establish. (It was not only dictatorship but they also tried to establish dynastic rule in India) A tremendous enthusiasm was generated in the country as also a tremendous spirit which was similar to the one we had seen among our young men and boys during the Indian Independence Movement and in 1947. We found a revolution of that during the Elections of 1977. The Address of the Vice-President acting as President has reflected that spirit and that tremendous enthusiasm in the country and I sincerely thank the Acting President for his Address.

One thing pained me very much. The Leader of the Opposition and I were once upon a time members of the same Party and he was my esteemed leader. We had great regard for him and we thought that he was one of the top most Leaders of the country. What a transformation has come over him in the last 20 months. He is calling us strange animals. He should look at himself in the mirror as he is not behaving strangely? I remember that in 1962 during the Chinese aggression when he was brought to Delhi from Maharashtra, he was termed as a Giant of Maharashtra. In the last twenty months that giant of Maharashtra has been transformed into the elf of New Delhi.

SHRI M RAM GOPAL REDDY

It is very uncharitable on your part to make these remarks.

SHRI ASOKE KRISHNA DUTT

It would have been uncharitable if I had said it in another context. But a man as powerful as he is remained absolutely quiet for the last 21 months when our freedom was taken away. Not a word of protest came from him when our press was gagged, not a word of pro-

test came from him, when thousands of people all over the country were put in jail and kept there without any trial under the MISA. Not a word of protest came from him.

SHRI C M STEPHEN Many on your benches now were with us at that time doing the same thing.

SHRI ASOKE KRISHNA DUTT
We do not believe in vengeance.

MR CHAIRMAN Please address the Chair.

SHRI ASOKE KRISHNA DUTT
I am not addressing anybody else. I was only trying to reply to a remark that he had made.

Through you Sir I want to remind my friend who was interjecting that the Leader of the Opposition should be grateful to this strange animal because he had lost his voice and this strange animal has given back his voice so that he can speak now.

I want to draw the attention of the Government through you Sir to another matter. When our Lok Nayak Shri Jayaprakash Narayan, whom we all respect and whom the whole country respects and whom my friends Opposite also respect—I think, they are afraid of admitting it openly but in their heart of hearts they also respect him—was in jail during the struggle the treatment was given in such a manner that possibly his kidneys have been damaged for ever. I think, it is the duty of the present Government to see that the best medical treatment comes now from any corner of the world so that we can try our best to restore Lok Nayak Shri Jayaprakash Narayan to proper health.

Many of my friends have mentioned about the manner in which truth has been distorted by the former Government. My hon friend Shri George Fernandez has today very ably made out the case how un-

[Shri Asoke Krishna Dutt]

truth was continuously poured and how untruth was given before the whole world. I want to make a point that not only did the former Government try to present untruth to the present generation but I suspect they wanted to present untruth to posterity also. A time capsule was prepared very surreptitiously, very stealthily. A small bottle made a time capsule and I embedded it into the earth. I strongly suspect that it is an attempt to hoodwink posterity and to create an atmosphere so that hundreds and hundred of years later these people who have now been exposed can again be deceived. Through you Sir I would like the Government to dig out that time capsule and see what it contains.

Some of my friends Opposite had said many things about the Sarkaria Commission and other Commissions. In this context I would like to bring certain facts before this House, just to depict how the former Government, the former ruling Party behaved with these Commissions. We have heard much about the Sarkaria Commission, but many of us have forgotten about the Wanchoo Commission. In West Bengal some years back, there were charges of tremendous corruption among Ministers, and the Chief Minister of West Bengal made a lot of fan-fare and appointed a Commission of Enquiry.

SHRI SOUGATA ROY (Barrackpore) On a point of order. That was about matters relating to the West Bengal Government. It cannot be raised here.

SHRI ASOKE KRISHNA DUTT I can appreciate why my friend is objecting to it. There are certain points which he would not like if truth was made bare. Therefore he is trying to obstruct. There is no point of order. I am not saying anything about the actions of the West Bengal Government in that way. The

Commission of Enquiry had been appointed under the Commission of Enquiry Act and it can be discussed in the Lok Sabha.

Sir, I do not want to go into the details of the Wanchoo Commission, but after its report, two Ministers had to resign from office, because the Chief Minister said that the findings of the Wanchoo Commission were against them. One was a Cabinet Minister. What happened to him? Within months he was appointed as the Chairman of the Jute Corporation drawing salary double than what he was drawing as Minister. The other Minister was a Deputy Minister. What happened to him? During the last elections he was the Chief Election agent of Shrimati Mava Ray, wife of the Chief Minister West Bengal. This is how they deal with corruption. The persons against whom charges of corruption were proved, resigned and they were again restored to other offices with higher salary.

Now, I would like to bring to the notice of the House another matter and perhaps my hon. friend from Barrackpore will get more annoyed. This is a matter of rigging in the last elections. There has been a tremendous amount of rigging in West Bengal, particularly in Barrackpore and Dum Dum constituencies, from which I have been returned. My margin would have been two lakhs more if there was no rigging. The facts about rigging are startling. Many hon. Members in this House often confuse rigging with false voting. The rigging of the type that we had in West Bengal was quite different. I would demand that the Government appoint a Committee of Enquiry to go into what happened in Barrackpore and Dum Dum. In Dum Dum Constituency, more than 200 booths were controlled by gangsters and the rigging was directed by the State Government and the Chief Minister of West Bengal. I make this allegation this statement with the full authority

at my command How did the rigging start? Forty-eight hours before the election started, 40 to 50 of my principal polling agents were arrested through the State machinery, many of them under MISA. On the evening at 10.30 p.m., before the election day, my central election office was raided. The officer-in-charge of the police station and all the officers of the police station very conveniently disappeared from the police station at that time. For half an hour, my central election office was raided and all my principal leaders in charge of the election office were beaten mercilessly. Ten of my workers were beaten. Four motor cars were completely smashed. While the police could not be contacted, I had to go several miles to contact the sub-divisional officer. When he came about two hours later, the enquiry was going on. At that time, the news came that polling had already started at 1.00 O'clock at night. That was the night before the election day. I complained to the sub-divisional officer, who was my assistant returning officer. On my written complaint, he started enquiry at about 3.00 O'clock in the morning, four hours before the polling was to start. He raided booth after booth and in seven booths he found that the ballot papers had already been filled up and the stamp of the Communist Party candidate was already there in all the ballot papers. They were so reckless that they were throwing the ballot papers in the streets. Here are many ballot papers serially and consecutively numbered. I can place them on the Table of the House, if you want Sir.

SHRI C. M. STEPHEN It has already been explained by the Minister

SHRI ASOKE KRISHNA DUTT. When the polling started in the morning, gangsters in jeeps with fire-arms, pipe guns, revolvers and bombs started charging the genuine voters.

Then the voters were driven away and they captured these booths and started stamping the ballot paper and putting them into the ballot box. One of the Presiding Officers complained to the police but nothing happened. Here is a letter written by one of the Presiding Officers. He has written to the officer-in-charge of the Kallata Police Station, 'Please arrange for police force in polling station No 54 as at such and such primary school as we are having trouble in conducting the vote.'

18 hrs

SHRI C. M. STEPHEN How it did come to your hand?

SHRI ASOKE KRISHNA DUTT It came to our hand because the officer in charge of the police station threw it away. He did not take any action. He was directed by the Chief Minister to do this. So simply he was obeying his superior's orders. You can compare the signature of the Presiding Officer. Therefore, I am demanding an inquiry into this matter. If you set up an inquiry, not one but hundreds of Presiding Officers will come forward and give evidence that their booths were captured. If an inquiry is made I am sure you will find that in Barrackpore Constituency more than 2 lakhs votes were rigged and more than 500 booths were captured. Now that the Janata Party has come to power, they are not afraid of MISA. They were being intimidated by the State Government. Hundreds of presiding officers will come and give evidence in my constituency alone. I am making a categorical statement. I am not asking for the report of any petty officer. Will the Government call for the report of the Additional

[Shri Asoke Krishna Dutt]

District Magistrate Mr Suorataniam? He has given a report to the Chief Electoral Officer of West Bengal. Let that report be called for and it will be found that in hundreds of booths my constituency there was rigging and there was more rigging in the Barrackpore constituency.

श्री अशोक कृष्ण दत्त आगे रोसा की बाय
बुद्धि तो मर गई है मर गई है मर गई है ।

SHRI ASOKE KRISHNA DUTT

All that I am demanding is let there be a proper inquiry because I am afraid in the Barrackpore constituency there may be an election petition by the former member, Shri Mohd Ismail. But this is not a matter for election petition alone. The Chief Minister of West Bengal himself is involved. He toured the constituency before the elections and had a high-level conference with the top officers. This matter cannot be left to the Election Commission alone. It should be inquired into thoroughly.

Before I conclude I have several other things

श्री श्यामनन्दन मिश्र (बेगुमराव)
आप दमदम और बैरकार तक भी मन रहिए
हमारी भी बहुत सारी शिकायतें हैं ।

श्री रामजी लाल सुमन (फिरोजाबाद)
महापति महाय जिम तरह से दिल में नाम
लिखा है उसी कम में मुनवाइए । कत से हमारा
नाम नहीं बुलवाया गया है ।

SHRI ASOKE KRISHNA DUTT

Before I conclude on this point of rigging I have told you my personal experience. What I have seen in Dum Dum and Barrackpore might have taken place in many other constituencies also in the country. So, we call for a thorough inquiry by a commission into this matter of rigging.

In the President's Address there is a mention that certain provisions of

the People's Representation Act which were introduced have got to be repealed. I feel that is not enough. It may be necessary to introduce new provisions into the Act because this type of rigging was never envisaged in the past. When counting was going on in my constituency I could see that bundles of ballot papers, hundreds of them, in consecutive numbers were found inside the ballot box. How could it happen? How could anybody put bundles of ballot papers into the box unless the lid is removed and put inside? The Returning Officer also agreed with me that that was common sense but he said 'It is nowhere in the rules book. So I cannot disallow these ballot papers.' So, some common-sense has got to be introduced into the People's Representation Act so that in future elections cannot be rigged.

Before I conclude I would like to draw the attention of the Government through you that in my constituency as well as in other parts of India several industries, particularly jute and engineering industries have been closed down. In my constituency alone during the last twenty months of emergency more than 50,000 people lost their job. A thorough enquiry must be made.

A lot has been said about the gains of emergency. But it has been admitted by them that more than 5 lakhs of people have lost job during emergency. Of that 50,000 alone is in my constituency. I would request the Government to see that these closed units are started again and those people who lost their job are brought back.

In conclusion I would say that the Address of the President truly reflects the spirit of the people of the country and the manner in which we propose to improve the economy of the country. The crying need of the country to-day is to eradicate poverty.

and to create millions of jobs so that the problem of unemployment can be solved. That can be done by the Gandhian method of decentralisation of development of rural economy—decentralisation of rural and cottage industries. That indication is there.

This Address has been criticised by some of my friends. Opposite They said that that was a small document.

This Address is brief and precise and in envisages the aspiration of the people.

I sincerely feel that it is a fine piece of document and I thank the Acting President. I sincerely support the Motion of Thanks moved by my friend Shri Karpoo Thakur.

MR CHAIRMAN Shri Ramji Lal Suman. He is not present. Shri Ramgopal Relli.

श्री एम० राम गोपाल रेड्डी (निजामाबाद).
सभापति जी, राष्ट्रपति जी के अभिभाषण में कुछ ध्यानियाँ—

श्री राम धारी शास्त्री (पदरीना)
सभापति जी, तब यह हुआ था कि दो प्रादम्यो इस साइट के बोलेंगे और एक उस साइट का।

श्री एन० राम गोपाल रेड्डी मेरा भाषण शुरू हो गया है। आप रिकार्ड देख लें। राष्ट्रपति जी का जो अभिभाषण हुआ है।

श्री वीरेन्द्र प्रसाद (नालदा) अगर एक प्रादम्यो नहीं था तो दूसरे का आपकी बात देना चाहिये था।

श्री एम० राम गोपाल रेड्डी मेरा भाषण शुरू हो गया है, अभी तक समाप्त भी हो जाता। राष्ट्रपति जी के अभिभाषण में कुछ ध्यानियाँ, कुछ ध्यानियाँ रह गई है। उनको धन चीज को साफ करना चाहिये था।

राष्ट्रपति महोदय को यह बताना चाहिये था

कि इन्दिरा सरकार, कांग्रेसी सरकार के जमाने में 2,600 करोड़ रु० की जो वृद्धि हुई है ऐसा पहले कभी नहीं हुआ था। और यह इमरजेंसी के जमाने में ही हुआ है। हमारे पान गोदामों में 2,500 करोड़ टन अनाज पड़ा हुआ है। अब यह लोग इस खजाने की जटन के वास्ते कामवाहिया कर रहे हैं। जतना पानी के सदस्यों का इन्दिरा गांधी और सजय गांधी का नाम लेने के सिवाय और कोई चीज नजर नहीं आती है। अभी इन लोगों की मात्तम नहीं है कि ट्रेंडरो ईले व में बंधन के बाद कैसे व्यवहार करना चाहिये। यह लोग अभी भी अपने को विरोध पक्ष का सदस्य समझते हैं। इन का अभी यह समझ में नहीं आया है कि ट्रेंडरो बैच में रहने के बाद कैसे व्यवहार किया जाए।

सभापति जी, चुनाव के जरिये से देश के दो टुकड़े किए गये हैं—उत्तर भारत और दक्षिण भारत। दक्षिण भारत में मैं ही एब ऐसा प्रादम्यो रह गया हूँ जो हिन्दी में बात करता हूँ। 154 प्रादम्यो में और कोई हिन्दी नहीं बोल सकता है। यह बड़ी गम्भीर समस्या है इस पर आप सावधानी। हमारे राष्ट्रपति जी को यह कहना चाहिये था कि इस चुनाव में देश के दो टुकड़े होने के इम्बतात पैदा हो गये हैं। इसलिये सदस्यों को चाहिए कि दक्षिण के लोगों का भरोसा प्राप्त करने का वास्ते हमारी बात का सहानुभूति से सुनें। आप लोगों को सत्ताधारी पार्टी में होने की वजह से यह सोचना चाहिये कि कैसे देश को आप बड़ाया जाये। अभी तक जो हमारी तरफ़की हुई है उस की मानना चाहिए जो फिगर्स में, गोदामों में और खजाने में है।

नसबन्दी के बारे में बड़ा बड़ा प्रोपोगण्डा कर के यह लोग यहां चुन कर आये हैं। इन्दिरा जी की सरकार के समय हर साल एब करोड़ प्रादम्यो का इजाफ़ा हुआ है। और अगर आप की यह पोलिसी रही कि नसबन्दी नहीं की जाए तो इस देश में हर साल 2 करोड़ प्रादम्यो

[श्री एम० राम गोपाल रेड्डी]

की बटनी होगी जिस को आप खिचा नहीं सकते ।

श्री वीरेन्द्र प्रसाद दो करोड़ प्रादमियों के चार कपड़ हाथ भी ता हाथे ।

श्री एम० राम गोपाल रेड्डी अगर हमी तरह म आवादी बढनी गर्द ता लोण को रहने की जगह नहो मिलेगो । आप जो बोलत है अगर वह सही है ता जिनके लाग का स्ट्रिक्शन इन्वेसन किया गया है आप मेहरबानी करके उन का रोडवेसाइडेसन कीजिय और सब को बन्ने पैदा करने की इजाजत दीजिये ।

दूसरी बात यह है कि हम ने स्मर के लोगो को बहा में निकाल कर बाहर किया है । आप ने तुर्कमान गेट में जा कर लागो को भडकाया है कि तुम को यहां मे काब्रेम सरकार में उजाड दिना है । अगर आप लोग ईमानदार है तो सब को फिर पुरानी जगह वापस लाकर दिन्नी में स्लम पैदा कीजिये तभी मैं मानूंगा कि आप लोग वाकई मे सही काम कर रहे है । आपने उनको बहकाया कि तुम्हें कापसी सरकार ने अपनी जगह से निकाल दिया है । हमारा कहना यह है कि अपना सरकार खाली बोलें बोलती है, अगर उन लोगो को सही करने का ब्याल है तो आप उनको बुलाकर फिर से बहा पर स्लम पैदा कर दीजिये और फिर देखिये । आप दोनों तरफ से फायदा नहीं उठा सकते है ।

मेरा कहना यह है कि यह जो गवर्नमेंट बनी है, यह एक म्युजियम बना हुआ है, एक मूवना हुआ है । यह कोई काम नहीं कर रही है, कोई सैक्रेटरी सोट पर नहीं बैठता है, वह यह देखकर हसते है कि हमारे मिनिस्टर कैसे है । आपको शर्म करनी चाहिये । सिक्का बार पाव मंत्रालय के और वही कोई काम नहीं हो रहा है । प्रोजेक्शन नीचे गिरने वाला है, और प्रारसेस बढने वाली है । श्री मोरारजी देसाई सच्चे प्रादमी हैं, वह बहुत दिनों से देश की सेवा में है, हम चाहते है कि उनकी सरकार कम से कम पांच साल तक जरूर चले लेकिन

अगर आपका यही खयाल रहा तो 100 दिन से ज्यादा यह गवर्नमेंट नहीं चल पायेगी । आप मेहरबानी कर के जरा सीरियस हो जाइये । आपने हैब मिनिस्टर मंत्रालय में काम नहीं कर रू है, आप वहा की हाल देखिये । यहां 200 प्रादमी चंम्बर में बंठे है, और यहां मजदूर हो रहा है । मेरा कहना यह है कि गवर्नमेंट को चलाना सीरियस काम है और आपको इसे सीरियसनी चलाना चाहिये । अगर आपका यही तरीका रहा तो एमर्जेंसी हम लोगो को लगान की जरूरत नहीं है, खुद श्री मोरारजी देसाई एमर्जेंसी लगाकर आप सब को टोप कर देंगे ।

इन्दिरा जी की गवर्नमेंट ने सन् 1971 में जो मुझ जीजा, एक हजार साल में कभी हमने बैठा नहीं आंगा है । बम्बई हाई बनाया है, एटन के टुकडे कर के हिन्दुस्तान का सिर उखा किया है । यह सही है कि यह साइडिस्टो ने काम किया है, लेकिन वह हमारे गवर्नमेंट की । अगर आप लोगो की भी कुछ करता है, तो हाईड्रोजन बम बनाकर फोडकर दिखाइये । हम सब आपको और जनता सरकार को बधाई देंगे ।

मुझे यह डर है कि जो काम अच्छे अब तक हुए है, वह धपूरे रह जायेंगे और वापिस हा जायेंगे । देश के टुकडे-टुकडे होने का इमकान है । इसलिय मेहरबानी कर के जरा सीरियसनी काम करने की तरफ ध्यान दीजिये । आप अगर उधर बोलें कोई परवाह नहीं लेकिन, कुछ काम होना चाहिये ।

मेरा कहना है कि इस सारे सदन को एक साथ लेकर आगे बढिये यह नही कि उत्तर दक्षिण का झगडा खडा करे । ऐस । मत कीजिये इन्दिरा जी ने आपको कहा है, चल्हाण साहब ने कहा है कि हम लोग कस्टुडियन सर्वरबन देंगे और गवर्नमेंट की मदद करेगे और अगर कोई इकनामिक डेवलपमेंट के ज़रियत कानून बनायेंगे

या फाइनेशियल बिल मापेंगे जिसमें गरीबों की मदद हो तो हम इसमें आपकी मदद करेंगे।

दक्षिण के पूरे लोगों ने कांग्रेस को बोट दिरे है। यह आपको मानना पड़गा कि दक्षिण का जनता ज्यादा पढ़ी लिखी है, वहां के लोगों का आर्थिक परिस्थिति उत्तर भारत से अच्छी है उन लोगों ने सोच-समझकर बोट दिया है। आप उसका ध्यान रखिये और हमें जबरबल से खेलने की कोशिश मत कीजिये। आप फंड्स का ध्यान रखिये और मदन के डिस्ट्रिक्शन को ऊंचा उठान की कोशिश कीजिये।

श्री रामरजी सात मुमन (किरोजाबाद): सभापति महोदय, ससू के दोना सदन के समक्ष राष्ट्रपति महोदय ने जो अभिभाषण दिया है, मैं उस पर रच गये धर्मवाद प्रस्ताव का समर्थन करने के लिए खड़ा हुआ हूँ। जनता पार्टी के चुनाव घोषणापत्र में हिन्दुस्तान के बहुमुखी विकास के लिए जो वायदे किये गये हैं, राष्ट्रपति के अभिभाषण में उन्हीं का उल्लेख किया गया है।

विरोधी पक्ष के नेता, श्री बल्लूण, ने कहा है कि इमर्जेन्सी को बहुत उपलब्धियां हैं और उस के दौरान देश में बहुत तरक्की की है। उन्होंने यह भी कहा है कि हिन्दुस्तान की जनता की स्वतंत्रता की रक्षा के लिए आपातकालीन स्थिति लगाई गई थी। वास्तव में इन उन्नोस महीना में हिन्दुस्तान में जो कुछ हुआ है, उस को लोकतंत्र की हत्या कहा जा सकता है, लेकिन हमारे सम्मति नेता श्री बल्लूण उस को प्रशंसा करते हैं। मैं निवेदन करना चाहता हूँ कि इन उन्नोस महीनों में हिन्दुस्तान के लोगों की आजादी के लिए लाखों लोग जेल गये हैं। जनता पार्टी का टिकट देने के सम्बन्ध में पहली शर्त यह थी कि जो व्यक्ति जेल नहीं गया है, उस को टिकट नहीं दिया जायेगा। इमर्जेन्सी के दौरान श्री जय प्रकाश नारायण, श्री मोरारजी देसाई और चौधरी चरणसिंह जैसे

कई सम्मानित नेता जेल में डाल दिये गये। मगर श्री बल्लूण कहते हैं कि हिन्दुस्तान की आजादी और भलाई के लिए इमर्जेन्सी लगाई गई और उस के कारण हिन्दुस्तान का बहुत विकास हुआ है। मेरा कहना यह है कि इमर्जेन्सी के लाभ केवल हम लोगों तक ही सीमित क्यों रहें इस लिए दो महीने के लिए श्री बल्लूण भी जेल में चले जायें, ताकि उन को पता चले कि इमर्जेन्सी में क्या क्या हुआ है।

कांग्रेस के मित्र कहते हैं कि आने वाले सालों में कांग्रेस पार्टी एक बड़ी शक्ति बनेगी। मेरा निवेदन है कि जनता पार्टी ने जो वायदे किये हैं, अगर वह उन को पूरा नहीं करेंगे, तो आने वाले समय में हिन्दुस्तान के लोग जनता पार्टी को नकार देंगे। लेकिन अगर जनता पार्टी ने उन वायदों को पूरा किया और देश की समस्याओं को हल करने का प्रयत्न किया, तो आज तो विरोधी पक्ष में कुछ लोग दिखाई दे रहे हैं, लेकिन पांच साल के बाद उन लोगों की उमांत बचने की भी सम्भावना कम होगी जो जनता के साथ मिला करेगा, जन्ता उस का साथ देगी। इन्दिरा जी ने गलतिय का हाथी इसीलिए हिन्दुस्तान की जनता ने उन को नकार दिया।

जनता पार्टी के अधिकांश सदस्य युवकों की खून पसीने की कमाई के कारण यहां बैठे हुए हैं। मगर इस अभिभाषण में युवकों के सम्बन्ध में कोई बात नहीं कही गई है। मैं कहना चाहता हूँ कि कांग्रेस सरकार द्वारा जिन छात्रों को परेशान किया गया या विद्यालयों से निकाला गया, जनता पार्टी की सरकार उन छात्रों को प्रवेश दिलाने और अन्य प्रकार से उनको सहायता करने की दिशा में कदम उठाना चाहिए।

पिछली सरकार ने बार-बार मांग किये जाने पर भी हिन्दुस्तान के मौजबानों को 18 वर्ष तक बोट देने का हक नहीं दिया। मैं आग्रह करना चाहता हूँ कि वर्तमान सरकार को विधान सभाओं के चुनावों में 18 वर्ष

[श्री मन्जी लाल पुमन]

तक के नौजवानों को बोट देने का अधिकार देना चाहिये ।

पिछली सरकार की तरफ से यह दावा किया जाता रहा है कि हरिजन और आदिवासियों को बहुत सुविधायें दी गई हैं । अनसूचित जातियों और अनुसूचित जनजातियों के आयुक्ता की रिपोर्ट न संख्या 77 पर लिखा है कि 1950 से जब कि इस देश का संविधान बना आज तक आर्द० ए० एस० में हरिजन का परसटज 2.99 और शिड्यूलड ट्राइब्स का परसटज 5 है । पिछली सरकार द्वारा हरिजन और आदिवासियों के साथ किए गए अच्छे सुत्र का यह एक उदाहरण है । हम न देखा कि बिगत दिना में हरिजन और सबों के बीच में खाद का बहाना का जितना प्रयास कांग्रेस सरकार ने किया है और किसी न उतना प्रयास नहीं किया है ।

काग्र सरकार ने यह घोषणा की थी कि छात्र लागा पर साहूकारों का जितना रुपया है वह भाग कर दिया जाएगा । हुआ क्या ? सरकार ने पास कोई वकल्प व्यवस्था नहीं था । उन लागा का रुपया मिलना बन्द हो गया । दो दो रुपए के लिए बचारे सड़का पर घूमने लग । यह सब से बना घोषा उन लागा के साथ हुआ है जो उन के लिए कोई वकल्प व्यवस्था नहीं की ।

शिक्षा के नाम पर मैं यह साफ कहना चाहूंगा कि विद्यालय में जो विज्ञान के छात्र हैं उन में कहीं भी 18 प्रतिशत स्थान उन्हें नहीं मिलते । आगरा कालेज का मैं उदाहरण देना चाहता हूँ वहाँ दो सौ दाई सौ छात्र हैं, उन में केवल एक हरिजन अध्यापक हैं और क. जाना है कि हम 18 प्रतिशत तक संरक्षण दे रहे हैं । य सब बातें पिछली सरकार ने कही हैं । जगता

पार्टी की सरकार को चाहिये कि वह तुरन्त इन सब बातों पर ध्यान दे ।

एक बात बहुत तकनीक की हुई है और वह यह कि साखा नौजवान पिछले दिनों जलो में गए हैं । हिन्दुस्तान की जनता ने अधिकांश लोग जल गए हैं । तो उन परिवारों के साथ जिन के लोग जेलों में गए हैं अच्छा सुत्र होना चाहिये । जो न । राजनीति में जल गए उनके साथ अच्छा व्यवहार होना चाहिये उन का सावजनिक सम्मान होना चाहिये योकि हिन्दुस्तान के जन जन की भावना के लिए मैं लोग जल गए हैं हिन्दुस्तान के लोकतन्त्र की पुनर्जीवित करने के लिए लोग जेल गए हैं । लोगों का काफी तकलीफें हुई हैं ।

मैं अपनमंत्रिया और सरकार के साथ स दरखास्त करता कि जो जनता पार्टी के लोगों का सम्मान हो तो एक बात जरूर करण । मुझे जैसा नौजवान यह मानना है कि हिन्दुस्तान का इतिहास अधिकांशत गलत लिखा गया है । पहले दरबारी लाग करते थे । वह बड़ कारण और भाग परिवारा में रहा करते थे और उन का काम होता था किसी न किसी प्रकार राजा को प्रसन्न करना । तो गूढ़ इतिहास लिख गए हैं । मेरी यह दरखास्त है कि जब जनता पार्टी के लोगों का स्वागत हो तो हमारे नेता प में आदरणीय वरुणा साहव का भी एक अच्छे दरबारी के रूप में स्वागत अवश्य होना चाहिये । यह सब बातें हमारे मित्रों ने कहा है । मैं और कोई विशेष बात नहीं कहना चाहूंगा ।

एक बात यह मैं कूंगा कि कांग्रेसी सरकार ने न केवल हिन्दुस्तान बल्कि विश्व में जो लोकतांत्रिक शक्तियां थी उन को दबाने का पूरा प्रयास किया है । आप जानते हैं कि मोरारजी साहव हिन्दुस्तान

मे रहे थे । वहा नेपाल मे राजशाही शासन चलता है । हमें परसों बहुत तकलीफ हुई जब राजा विरेन्द्र यहा तशरीफ लाए । कोइराला नेपाल के लोकतन्त्र और समाजवाद के प्रतीक हैं और हिन्दुस्तान की सरकार को यह चाहिये कि जो भी समाजवाद शक्तिया हैं हिन्दुस्तान की सरकार उन समाजवादी शक्तियों को मजबूत करे । कोइराला साहब जब यहा थे तो उन की एक तरह से हाउस अरेस्ट थी । उन्हें अपनी बात कहने का हक नहीं था । इंदिरा गांधी ने कहा कि राजा साहब, आप ने यहा हम कोई वारदात नहीं होने देंगे । लेकिन जब कोई राजनीतिक कार्यकर्ता यहा से बहा जाये तो उस को आप धारण मत दीजिएगा । राजशाही से यह सादग्या करन का काम पिछले सरकार ने किया था । आज हिन्दुस्तान में जनता की सरकार बनी है । उस के धुने हुए प्रतिनिधि इस बात के सबूत हैं कि हिन्दुस्तान मे लोकतन्त्र की जड़े गहरी हैं । तो हम समस्त लोकतांत्रिक शक्तियों के लिये अपना लड़ाई लडे और हम यह माग करत हैं कि कोइराला की रिहाई होनी चाहिए । नेपाल मे राजशाही का नया नाच हुआ है । नेपाल कांग्रेस के साथ अच्छे मुलक नहीं हुए हैं । त्रिभुवन विश्व विद्यालय के हजारों छात्र अब भी जेलों मे बन्द हैं । अगर नेपाल में लोकतन्त्र स्थापित होगा तो हिन्दुस्तान जैसे मुलक को भी यह कहने का हक होगा कि हिन्दुस्तान जम्हूरियन पसन्द मुलक है और मैं मानता हू कि इस मे हम किसी की भाति को भग नहीं कर रहे हैं । हिन्दुस्तान मे जब लोकतन्त्र का खात्मा हुआ तो विश्व के बहुत से समाजवादी देशो ने कहा कि हिन्दुस्तान मे लोकतन्त्र समाप्त किया जा रहा है । अखबारा ने सपोर्ट किया । लोगो ने अपनी बात कही । तो हिन्दुस्तान अगर यह कहता है कि नेपाल मे जनता की सरकार बने, कोइराला के नेतृत्व मे मंत्रिमंडल बने जो लोकतन्त्र और समाजवाद का प्रतीक हो तो मैं समझता हू इस मे कोई गुनाह नहीं है ।

आप जानते हैं कि उत्तर प्रदेश मे पी ए सी का रिवोल्ट हुआ जो कांग्रेस का पड्यक्त था । 6 हजार लोग उस पी ए सी रिवोल्ट मे जेल गए । मैं सरकार से कहना चाहता हू कि पी ए सी रिवोल्ट मे जा लोग जेल गए वह सरकार का पड्यक्त था । हमारी सरकार को चाहिए कि तुरन्त उन 6 हजार लोगों के मुकदमे वापस ले और उन लोगो को काम पर लगाए । वे बेगुनाह लोग थे । उन लोगों से काम लिया जाता था । छोटे लोगों को बडे अक्षर तम करते थे । उनकी जो यूनियन थी उसे कमलापति जी न भग दिया । हम सरकार से माग करत हैं कि जो लोग जेल भेज गए हैं उन लोगों के कैजेज अविलम्ब वापस दिए जाए ।

नवलवादिना के बारे मे मैं साफ साफ कहना चाहता हू । हम मानते हैं कि हम गांधी जी के बताए हुए रास्ते पर चलने वाले लोग हैं । लेकिन एन स्थिति ऐसी आती है जब आदमी का विश्वास टूट जाता है । लोगों ने जन आन्दोलनो के माध्यम से सरकार के खिलाफ सपर्य किया है । लोगों नोजवान जेल गए हैं । मैं सरकार से स्पष्ट कहना कि सरकार ने लोगों को हिला करने के लिए याध्य किया है । इसलिए जो जलो मे नक्सलवादी बन्द है हमारी पूरी हमदर्दी उन के साथ है । नई सरकार को तुरन्त उन की रिहाई करनी चाहिए और इस मे कोई देर नहीं होनी चाहिए ।

एन बात मैं यह कहना चाहता हू कि लोकतन्त्र की बान के लोग कहते हैं । पिछले 18-19 महीना मे लोकतन्त्र को समाप्त करने का पूरा प्रयास इंदिरा जी ने किया है । लेकिन प्रकृति का नियम है कि जो किसी को समाप्त करना चाहता है वह खुद समाप्त हो जाता है । इंदिरा गांधी ने प्रयास किया तोरतत्र समाप्त करने पर लेकिन इंदिरा गांधी खुद समाप्त हो

[श्री रामजी लाल सुमन]

गई। मैं एक बहुत पुराना शेर आप के सामने पड़ देता हूँ—

शमा को देख मेरे दिल को जल ने बाले।

खुद हो जल जात है धोरा को जलाने वाले ॥

इंदिरा गांधी न प्रयास किया लोकतंत्र को समाप्त करने का। लेकिन हिन्दुस्तान की जनता के साथ उन्होंने जो मुलूब किया उस से इंदिरा जो खुद ही समाप्त हो गई। जनता को नई सरकार से बहुत बड़ी आशाएँ हैं और जनता की सरकार को चाहिये कि उन समस्त आशाओं की प्रतीक जनता की सरकार बने।

सभापति महोदय, कांग्रेस पार्टी को सरकार में बाबू जगजीवन राम जो को छोड़ कर जितने भी कृपि मंत्री बने, उन्हें पता नहीं था कि बने और गेहूँ का पैडकंसा होता है। बिना दिनों में कांग्रेस की सरकार गेहूँ का दाम 105 रुपये क्विंटल तय करती रही है। आप मोटा-मोटा हिमाव भी लगायें तो आप देखेंगे कि किसान को 155 रुपये क्विंटल गेहूँ की लागत धाती है, लेकिन किसान को सिर्फ 105 रुपये मिलते रहे। मैंने पता था, इसी सप्ताह मैं जब लोगों ने कहा कि शायद किसान 105 रुपये क्विंटल पर अपना गेहूँ न दें, तब चौहान साहब ने कहा था कि अगर हिन्दुस्तान के किसान गेहूँ नहीं देंगे तो हम विदेशों से गेहूँ मगायेंगे। किसानों ने गेहूँ नहीं दिया और विदेशों में गेहूँ मंगाया गया, जिस की कीमत में नहीं जानता, लेकिन वह 105 रुपये से ज्यादा ही था....

एक मानीय सदस्य 144 रुपये क्विंटल पर मगाया गया।

श्री रामजी लाल सुमन, कांग्रेस सरकार ने विदेशों को 144 रुपये क्विंटल का दाम दे दिया, लेकिन इस देश के किसानों को 125

रुपये का दाम नहीं दिया, जिस की कि अधिकार लोगों ने माग की थी। हिन्दुस्तान के किसानों को कांग्रेस सरकार में असंतोष था जिस का फायदा जनता पार्टी को मिला। मैं चाहता हूँ किसानों को 150 रुपये क्विंटल के हिसाब से दिया जाए।

सभापति महोदय, मुक्त सम्राट मुबराज सजय गांधी जी ने जो जुल्म दायें हैं, मैं वह भी आप को बनाना चाहता हूँ। मुबराज भाग्यशायी लगे थे, तो बाले कि भाग्यशायी बहुत गन्दा है, इस का सौन्दर्यीकरण होना चाहिये और उस के नाम पर हजारों लोगों को उड़ा दिया गया। नई सरकार को चाहिये कि उन विस्मयितों को बसाने के लिये मुभावजा दे और मुबराज ने सौन्दर्यीकरण के नाम पर जुल्म दायें हैं उस की जांच की जाए।

इस देश के सम्मानित सदन में विशेष तौर से जो भ्रष्टाचार की बात की जाती है उस सम्बन्ध में मैं भी एक बात कहना चाहूँगा—इस दिल्ली की चकाचौंध में कांग्रेस के मंत्री निपट रहे हैं, इस लिये जनता पार्टी को सरकार को सादगी का व्यवहार बरतना चाहिये तथा लोकपाल एवं लोकयुक्त की नियुक्ती होनी चाहिये। साथ ही सन्तानम बमेटी ने जो सिफारिशें दी थी, उन को तुरन्त लागू करना चाहिये।

इस के साथ ही दल के भ्रमर्गत भी लोकतन्त्र होना चाहिये—यहाँ पर चाहे जनता पार्टी के लोग बोलें या कांग्रेस पार्टी के लोग बोलें, मन्त्रियों को उनकी पूरी बात सुननी चाहिये, केवल रसम प्रदायगी नहीं होनी चाहिये। कांग्रेस पार्टी के लोगों ने जो कुछ किया है, वे उस का फल भुगत रहे हैं, लेकिन मैं आशा करता हूँ कि जनता पार्टी की सरकार निश्चित रूप से जनता की आशाओं का पूरा करेगी।

दुन शब्दों का साथ में अपनी बात सवाप
करता हूँ।

PROF DILIP CHAKRAVARTY
(Calcutta South) Mr Chairman,
Sir I rise to support the motion of
thanks moved by my honble friend,
Shri Karpoori Thakur. The acting
President in his address has mention-
ed that the people have given a clear
verdict in favour of individual free-
dom, democracy and the rule of law
and against executive arbitrariness,
the emergence of a personality cult
and extra-constitutional centres of
power. It further says that the trau-
matic experience of the last two years
during which many atrocities were
committed on the people and they had
to undergo untold sufferings and some
have even died has brought home
the relevance of this

Mr Chairman Sir, only day before
yesterday I visited the Presidency jail
in Calcutta. In spite of the statement
issued by the West Bengal Chief Min-
ister, from time to time, that all the
political prisoners had been released,
even today there are 152 political pri-
soners languishing in the Presidency
jail alone. There will be a little more
in Alipore Central Jail. These are
the two jails in my constituency in
Calcutta South. There will be many
more if we include the figures of all
the jails in West Bengal. I do not
know the position in the rest of India.
I believe the total figure will be stag-
gering. I would urge on the govern-
ment to see to it that not a day is lost
before the large number of prisoners
who are detained without trial and
languishing in jails are released.

I was listening with rapt attention
to the speech of Mr Stephen whose
English language was very nice. He
was shedding crocodile tears about
the rule of law. He referred to the
withdrawal of the Baroda dynamite
case against Shri George Fernandes
and some other cases. The prisoners

whom I met in the Presidency Jail
told me that cases had been institut-
ed against some of them and they
were first produced before a court of
law in 1970. But the judges have
been transferred thrice and the cases
are going on even today in 1977.
They are languishing in the jails.
When Mr Stephen refers to enforce-
ment of the rule of law, at least we
on the treasury benches have a diffe-
rent view about rule of law. Mr
Stephen conveniently forget the
powerful speech delivered in this
House by my friend Shri George
Fernandes. The whole thing was frau-
dulent. The other day Mr Charan
Singh the hon Home Minister point-
ed out that the emergency was im-
posed only on the advice of the Prime
Minister and the cabinet was inform-
ed of it only subsequently. My
friend Shri Ashok Dutt was right
when he was lamenting over Mr
Chavan the giant of Maharashtra,
who had his backbone transformed
into jelly and did nothing! Instead
of touching on this and other com-
plaints against them they are trying
to divert the issue. I suggest to the
government that it is time that we
declared a general amnesty for all
political prisoners of all categories.
This is the need of the hour. The
people of India have really transform-
ed the whole country by taking the
first step towards a silent revolution.
To quote Shri Ashok Dutt again this
is the first time in the world that a
dictatorial regime could be removed
peacefully through the ballot box.
It is only meet and proper that the
others who are in jail were also re-
leased. They are with us in spirit
and they are counting their days.
This is very urgent. I bring this to
the attention of the House in the
hope that it will receive support
from all sections of the House.

On page 3 the acting President has
said

'One of the very serious develop-
ments in the recent past was the

SHRI M RAM GOPAL REDDY

No no

PROF DILIP CHAKRAVARTY I think so I would compare Loknayak Jaiprakash Narayan only with the position which was occupied by Mahatma Gandhi before the 30th January 1948. There is nothing wrong to respect a person who never asked for anything who never asked for any reward. Your Indira who spent only six months in jail claimed to have a dynastic rule and claimed that she had contributed so many things to the country without remembering those who laid down their lives for the country's freedom, those who suffered and languished in jail, lakhs and lakhs of people in the country. I know some of their woes and their suffering. Without caring for them, the lady dared to claim about her contribution to the country.

Shri Stephen has mentioned as you will see from the content of his speech that peninsular India took up a different position from that of Northern India. What does he mean to say? Does he mean to say that peninsular India is different from the rest of India? We do not think so. I will remember it and when the election is coming we shall see how peninsular India reacts. India is one. There is no peninsular India and Northern India as such. There is only one India.

To my utter surprise and to my utmost pain I was reading the statements issued from day to day by the former Prime Minister in accusation sometimes against Loknayak Jaiprakash Narayan sometimes against Shri Morarji or some other respected leader of the freedom movement and they were all done in the name of Mahatma Gandhi. Here is a book with me from where I am quoting. Writing on the Congress position Gandhiji stated on 27th January 1948:

"Let the Congress now proclaim to itself and the world that it is

only God's servant—nothing more nothing less. If it engages in the ungainly skirmish for power it will find one fine morning that it is no more. Thank God, the Congress is now no longer in sole possession of the field."

During the 30 years, my friends of the Congress totally forgot about Gandhiji's writings. They thought they could hoodwink the ignorant and suffering people of India for all time to come. Fortunately they could not do it. I am quoting another excerpt of Gandhiji himself. On 29th January 1948, only 24 hours before his death he said:

"Though split into two, India, having attained political independence through means devised by the Indian National Congress, the Congress in its present shape and form, as a propaganda vehicle and a parliamentary machine, has outlived its use. India has still to attain social, moral and economic independence in terms of its seven hundred thousand villages as distinguished from its cities and towns. The struggle for the ascendancy of civil over military power is bound to take place in India's progress towards its democratic goal. It must be kept out of unhealthy competition with political parties and communal bodies. For these and other similar reasons the AICC resolves to disband the existing Congress organisation and flower into a Lok Sevak Sangh under the following rules with the power to alter them as occasion may demand."

These were the last suggestions of Gandhiji to Congressmen. But Congressmen did not listen to that.

And what did they do? As an individual I spent my first ten years of political life within the Congress from 1938 to 1948. Then I came out with the Socialists. But in 1977 what was my last experience with the Congress? On 6th March while I was

addressing an election meeting, I was hit on the head with the shout of "Vande Mataram" That is the present-day Congress So try to understand and start re-thinking after going through Gandhiji's writings which I am afraid many of you have not done

MR CHAIRMAN We have to finish the discussion today We shall continue till 7.30 Tomorrow the hon Prime Minister will reply

SHRI V ARUNACHALAM (Tirunelveli) So far only one Member from the AIADMK has been called and he has taken only two or three minutes So may I request you to accommodate at least two more Members from our Party?

SHRI B N SINGH (Hazaribagh) May I know how many Members can speak today?

MR CHAIRMAN Six Members may now speak, Five minutes each

SHRI EBRAHIM SULAIMAN SAIT (Manjeri) So far, our Party has not been called.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA) It was decided that we would sit up to 7.30 today If the hon Members feel that they can sit longer so that more Members can speak, there should be no objection Otherwise, according to the schedule of Government business which has been accepted, the Prime Minister will reply tomorrow morning I am in the hands of the House and your good self

MR CHAIRMAN We can sit up to 8.30

श्री रामचारी शास्त्री : सभापति जी
सदन कार्य मंत्री ने सर्वेरे घोषणा की थी
कि सदन एक दिन के लिये धीरे बढ़ाया जा
सकता है । उसके बाद फिर समय बढ़ने की
बधा बात है बल माननीय सदस्यों की
धीरे चलने का मोर्दा दिया जाये ।

SHRI VASANT SATHE (Akola) Even if we sit till 8.30 there may not be proper satisfaction to the Members who want to contribute because every one will be going away as soon as he finishes speaking and there will be no audience So, if you are extending by one day the Prime Minister can reply tomorrow evening We can continue this debate tomorrow after the Question Hour and Calling Attention

19 hrs.

Whosoever did not speak so far remaining on the list can contribute tomorrow by 2.30 or 4 p.m Then the Prime Minister can reply When you are already extending it by one day, why don't you agree to this? If you are going to sit upto 8.30 p.m it will strain us too much

SHRI RAVINDRA VARMA In view of the Government Business for the current session, I regret it will not be possible for us to accept the suggestion that the whole of tomorrow should be kept apart for the continuation of the debate At the moment, we have requested the Prime Minister to reply to the debate early tomorrow morning But if it is the pleasure of the House we may extend this debate by another hour or so today But according to the Government business for this week, if the whole day tomorrow is devoted to this debate, then the whole schedule will be in jeopardy Therefore, through you Sir I would request the hon Members not to insist that the debate should be extended for more than one hour tomorrow

SHRI S KUNDU (Balsore) In that case, it is better we should adjourn today by 7.30 Look at the staff who come at about 9 A.M Some of us have also come at 9 A.M

MR CHAIRMAN Please, let us continue till 7.30 P.M

SHRI S KUNDU I know that our Prime Minister is a very pleasant and

[Shr S Kundu]

very accommodative person I am sure the hon Minister will show the maximum capacity of accommodation. I find that some hon Members do not speak for more than five minutes. Therefore it is possible through our Minister to convey our feelings to the Prime Minister about our desire to participate in the debate and tomorrow say within maximum of two hours everybody can speak. Within two hours about 20 speakers can finish their speeches.

*MR. CHAIRMAN We shall continue till 7.30 P.M. today as suggested by the hon Members. Tomorrow we shall devote one hour.

SHRI RAVINDRA VARMA During the current session, if the Government business spills over to the afternoon tomorrow then we will not be able to complete all that we have for the current session. Therefore I would request the hon Members to agree to the proposal that we continue the debate for one hour tomorrow and then request the Prime Minister to speak.

MR. CHAIRMAN So today upto 7.30 P.M. we shall continue the debate.

AN HON MEMBER Tomorrow again if new Members come and fill up the list.

MR. CHAIRMAN No more views. Mr. Kumari Ananthan.

SHRI KUMARI ANANTHAN (Nagercoil) Mr. Chairman, Sir I rise to support the motion moved by Shri Karpoori Thakur. I come from a constituency which is the southern most tip of India—Nagercoil.

It was represented twice by our late lamented revered leader Sri K. Kamaraj who was pushed to the far end of his life by emergency and the atrocities that came in its wake.

When he heard that emergency was declared and leaders of eminence were arrested he was shocked. He fell ill. He thought of waging a last battle against the erstwhile government. A resolution was passed as per his advice and guidance requesting the people to be ready to do any sacrifice to get back the civil liberties.

On October 2—on the birth day of the Father of the Nation—Kamaraj breathed his last. He died a sad man. He died with a broken heart.

After his death, "Bharat Ratna" was awarded to him. When he was alive his garden was destroyed. All the flowering trees which were planted nursed and reared by him were uprooted. When he was a dead man, a few flowers were thrown on his lifeless body. I can compare the award only to those flowers thrown on his body.

Sri Kamaraj was insulted even after his death. The Charka which adorned his memorial at Guindy was demolished and thrown in the dustbin. The ancient sacred Charka which was revived by Mahatma Gandhi was destroyed by Mata Gandhi.

When our revered leader and Prime Minister Shri Morarji Desai came to Madras he saw the memorial and took note of the missing Charka. He was pained to hear all about the removal of the Charka. On that very day he made a public announcement that the Charka will be placed again in the memorial. Now I am sure the Charka will find its place again in the memorial as it was promised by a leader who will keep up his words.

Under the previous Government, the people were terror stricken. Even friends could not meet and converse. The fear phobia was hanging around everywhere. Nobody could express his feelings. At no time in the annals of Indian history so many people were sent to jails. As it was said in the morning by Sri Karanth, the USA is not Maintenance of Internal

Security Act but it was Maintenance of Indira Sanjay Act

Our forefathers placed at the altar of Bharat Mata everything they had, everything dear and near to them. What for? They never thought of their stomach or mouth. They thought of their soul and heart. They got freedom. Freedom means freedom of expression, freedom to assemble, freedom to criticise and freedom to dissent.

But alas, everything was suppressed by the previous Government in a brutal manner. Good people were thrown in prison. Good officers and employees were thrown out of their jobs.

Our original Constitution is one of the best constitutions in the world. Much thought was given to each and every word. The Constituent Assembly sat for two years, eleven months and eight days. The consideration of a draft Constitution took 114 days. A people of India were given eight months to discuss the Draft Constitution. And to make their suggestions, many as 7635 amendments were proposed and 2,473 amendments were usually discussed by the Constituent Assembly. But the Constitution (Forty-Second Amendment) Bill was passed through in a very hasty manner. The people were not given a chance to discuss and express their opinion. Numerous MPs were languishing in jail when they should have been in Parliament speaking to the conscience of the members of the ruling party. The previous Government could allow only ten days for this purpose. Only 50 hours were allowed for amending 59 clauses. Not an hour was spent for each section.

Thus is what Motilal Nehru had said:

"It is obvious that our first care should be to have our Fundamental Rights guaranteed in a manner which will not permit their withdrawal under any circumstances."

By trampling upon the Fundamental Rights, the former Prime Minister went against the wishes of her own grand-father.

Then, Pandit Jawaharlal Nehru said:

"A Fundamental Right should be looked upon not from the point of view of any particular difficulty of the moment but as something that you want to make permanent in the Constitution."

The former Prime Minister went against the wishes of her own father even.

Again the late Mr Feroze Gandhi had pleaded and fought for the rights of the press. By his untiring effort, the Parliamentary Proceedings (Protection of Publications) Act was passed in 1956. Even this Act was repealed by Mrs Indira Gandhi in 1976. Thereby, she went against the wishes of her husband.

No news regarding the feelings of the Opposition could be sent to the outside world. Now the Janta Government has removed all the obstacles in the way of the free press. The press will find its expression. The expression of the people will also find a place in the press. So, New Delhi has really become News Delhi. It has good news to the world that democracy will prevail and remain for ever in this country and that nobody can suppress it.

The former Prime Minister went against the wishes of her grand-father; she went against the wishes of her father; she went against the wishes of her husband and she went against the wishes of the people. So everybody went against her Government and voted her out of power. In Thirukkural, there is a couplet which is as follows:

ALLAHATTU ATTATHU AZIYUDHA
KANNEER ANTRE SELVATHAI
THEIYKUM PADAI

[Sri Kumari Ananthan]

The translation goes like this.

Is not the tears of grief shed by the lives who can't brook more a weapon strong which will file off a monarch's wealthy store? Yes, it is the tears of the people which pierced the armour of the previous Government.

Sir, as there is no emergency, internal or external we are free from bondage. The chains that have tied our body and soul have been broken to pieces not by bullets but by ballot. Now we breathe the air of freedom.

The people of India have asserted their rights. Hats off to the people of India.

Sir high hopes have been aroused. We have to fulfil the aspirations of the people.

The previous Government squandered money on useless propaganda media to further their own ends. Even important works like the Railway line connecting Kanyakumari has been allowed down. I will request the Railway Minister to expedite this line.

In my constituency there is no industry of any worth. If a chemical industry is started using salt as the raw material which is abundant in our place, many people will find employment. Also, Sir, for want of nuts, many cashew factories have been closed, throwing thousands of men and women out of work. In Kanyakumari District there are many rubber estates. We have the finest Latex in the world. We can start rubber factories also.

Our people are assured of a good, clean Government. But we have to undo the wrong done by the previous Government. We have to institute Commissions to investigate the Nagarwala episode. This Commission may be able to tell us why Nagarwala and the investigating officers were promoted from this world to the other world.

Were they in the way of anybody's world of pleasure? They disappeared from this world in a very auspicious manner.

A thorough investigation should also be made into the Maruthi affair. Though no car came out of this so-called Maruthi Factory, truckloads of materials will be found out which will point out the wrong-doers and their activities.

The present Government surely owes a duty to expose the untruth of the past Government.

There was consistent propaganda that Jansanghis burst Kamaraj's house on November 7, 1966 and that Kamaraj's supporters who vote for Janatha are therefore traitors. Posters to that effect were displayed all over Tamil Nadu. I want to ask some questions. Who was the Prime Minister at that time? Was it not Mrs Indira Gandhi? Why did Nanda resign from his Home Ministership? Why did not the then Government think it fit to publish the report regarding the incident? What is the truth? Yes, the truth will come out one day and those people who printed posters will hang their heads in shame.

Sir, some Hon. Members from the opposite side voiced concern about the Sarkaria Commission Report. Though I am not competent, I can say as a member of the ruling party that justice will be done. Our measuring yard will not shrink or bend for anybody. Likewise, nobody will be left out of enquiries by Commissions. Yes, our Janata Government will see that all wrong-doers are spotted out and brought to book. We will uphold justice.

I want to make another point, Sir. While the hatchet men of the hellish black laws need to be replaced, good men are not lacking in administration. Such men should be entrusted with

responsibilities Their hands should be strengthened Then only they will discharge their duties without fear or favour The fear complex must go from the minds of the people Those hearts which are engulfed with fear and terror will not blossom forth with good ideas of fragrance Gandhiji wanted to get rid of fear from the hearts of the people The dreams of Gandhiji have come true The country is under the stewardship of a true Gandhian, Shri Morarji Desai who will not alter his path or falter in his deeds

We have rediscovered India Let me quote Rabindranath Tagore

'Where the mind is without fear
and the head is held high

where knowledge is free,

where words come out from the
depth of truth

where tireless strivings stretch
its arms towards perfection

Into that heaven of freedom my
Father, let my country awake"

The prophetic dream has come true

The only way to thank the courageous and bold people of India who lived and acted upto the expectations of poets like Tagore and Bharati is to do our duty and serve them well

Let me thank our Acting President for his address Let me thank the Speaker for permitting me to speak and let me thank one and all for lending to their ears for some minutes for the maiden speech of a young man who hails from Kanyakumari where Vivekananda meditated three days before attaining sublimation Let us remember the clarion call of that great sage and patriot "Awake arise and stop not till the goal is achieved"

SHRI B. K. NAIR (Mavelikara) I shall make a very short speech. I come from Kerala The pattern of voting in Kerala has been quite different from what it has been in North India, the same applies to the other States in South India But no mention has been made in the President's Address about the difference in the pattern of voting What has been said is that the entire people of India have voted in a particular line The entire people of India have not voted in a particular line In regard to the southern States the voting pattern has been different and this fact has not been mentioned in the President's Address

In the President's Address it has been said that the Government is pledged to removal of destitution within a definite time frame of ten years This is a tall claim for any Government to make Crores of people are involved and 70 per cent of the people of India are below the poverty line There is no magic wand by which the poverty of the entire nation can be removed in ten years There should have been concrete and detailed programmes mentioned by the Government When they say that rural development would be taken up there should have been definite point by point clarification as to what projects will be taken up

My own suggestion is that the entire rural economy can be revived only by giving a proper and reasonable price to the farmers The actual cost of production should be the basis for the assessment of the price of the produce To have the same price structure for the whole of India will not be correct

In order to remove the poverty of the rural masses one step should be to provide for a uniform wage rate for all agricultural workers throughout the country There should be no disparity in wage rates For example in Kerala we are paying Rs 7

[Shri B K Nair]

each to women agricultural workers and Rs 10 each to men agricultural workers, whereas in Andhra Pradesh where agriculture is more remunerative, the wages paid are less, so also in the Thanjavur delta the wages paid are less. I do not think that there is any justification, whatsoever to have this sort of disparity in the wages of agricultural workers particularly in view of the fact that in almost all other organized industries like cotton and sugar more or less uniform wage rates have been brought into force. Why not have this uniform wage rate in the field of agriculture also which is now being established on a State wide basis? The prices are fixed on a uniform basis. The wages also must be fixed on a uniform basis.

My own suggestion about rural development is to go in for a nationwide programme of house-building for the poor people. It has a two fold advantage: one is providing shelter to the poor man, and the other is providing large scale employment. If the locally available material is utilised it provides still a larger scope for employment. In Kerala we had this programme of providing one lakh houses for the poor, and within a period of two years or so we have been able to provide not less than 65,000 houses, and the remaining houses are also being built. This has provided large scale employment to the poor people: thereto the brick makers, to the lime-makers, masons, carpenters and other categories of labour etc. Therefore as a measure of providing large scale employment in the rural areas house-building for the poor people—low cost housing—may be one of the programmes adopted by the Government. The Government should go in for an intensive geological survey of the country. Some steps have been taken in this respect, but if we want to have mineral development an intensive geological survey is necessary and it will brighten the entire countryside. That will also provide em-

ployment and that is the only way by which we can build up a new economy.

We talk and complain of migration from the rural areas to the urban centres. One way of tackling this problem is to insist that industries should hereafter be opened in rural centres only. There should be no encouragement to industries coming up in urban areas. The scope of industries should be increased in the countryside and once the industries are taken there, there would be more scope for employment and the entire village life would be brightened. People would not come to the urban areas for finding employment. Communication would be improved and the general health would be improved in the villages. This is one way of improving our rural side. We should insist that industries should hereafter, as far as possible, be set up in the countryside.

There is another important matter to which I would like to draw the attention of the House. There are lakhs of fishermen in our country residing on our external coastline. They are the neglected and forgotten people. If we develop this sector and provide the required facilities a lot of relief can be provided to them. The fishermen as a class are taken for granted: nobody has even spoken a word about them. They continue to be in poverty: they continue to be in misery: there is no proper housing for them and no attention is paid for education of their children. As I said, they are just taken for granted. If we take into account the value of what they are producing on the one hand and the way they are living on the other it would be clear that they are not getting a fair deal. Their occupation accrues a lot of benefit to the nation but they continue to live in misery. Government should take action to provide amenities to them: provide facilities for the education of their children and open up new fishing harbours. With a small investment of

money, Government will be able to provide large scale employment to these people which would result in the improvement of economy of this country

Now, I would like to say a word on behalf of the members of this side to the hon. Members on the other side. We offer our whole-hearted cooperation to the Government in power. We may have our differences, but we expect that hereafter the speeches from the other side will be based on reason and not mere emotion or passion and will be giving more light than heat, there will be no acrimony and hatred. As I said, we are here to co-operate with them constructively. They should consider our suggestions with an open mind. We do hope this phase of acrimony and vituperation and heat will certainly cease shortly.

Lastly I would like to say that if you think of India, divided into South and North and if you identify the Janata Party only with the people in the North we will not be strengthening the forces of integration of the country and building of a united India. Even if for the time being because of anger you want to identify yourself with the Hindi speaking area as against the South, I do hope at least when you come to matters of administration or to laying down policies at a later stage you will give proper attention to the conditions in South, our grievances and demands. I do hope the Government, under Shri Morarji Desai will not be so short-sighted and prejudiced as to ignore our grievances and demands. We should all join together to preserve the integrity and stability of the country. Sir, up to now on different occasions, we have been witnessing instability in certain States, some Governments going and some other party forming the government or coalitions coming up. That sort of instability in the State level is something which we can afford but not instability at the Cen-

tre. This government should continue for the full period whatever shortcomings may be there. It is in the interests of all of us and it is in the interests of the entire nation that there should be no instability injected into the present structure. This government should continue to get support from all sections of the Parliament. But one thing. The government also should try to remove any element of distrust or any element of a feeling of distance that some sections might feel about it and they should try to bring about an atmosphere of confidence and mutual co-operation. That also will make for stability in the administration because in the nascent stage we should not have any feeling or even a threat of instability in the centre and it is in the interests of all of us that we co-operate fully and wholeheartedly for a stable and healthy government.

I think Mr. Morarji Desai, our revered leader and our other friends over there who till the other day were in the Congress and many of them had been in the State administration cannot in a spirit of political vendetta put the entire blame for whatever shortcomings that are there on the Congress Party. Some of them were holding positions in the Central government and some also in the State administration. For whatever problems the country is facing you cannot put the entire blame on the Congress. Shortcomings are there. So, let us in a spirit of, not forget and forgive but in a spirit of understanding and healthy co-operation forget all that has happened in the election and try to get on with the job of providing employment for the masses and banishing poverty from the land which is a colossal job. I hope the same spirit of co-operation and understanding will be forthcoming from the all sides.

MR CHAIRMAN Shri Ramnarand Tiwari—not here. Shri Samarendra Kundu—he is also not here. Shri Hukam Dutt Narain Yadav—also absent.

Yes Shri C. N. Viswanathan.

SHRI C. N. VISWANATHAN (Tirupattur) First I wish to congratulate the present government on introducing so many drastic and welcome measures like reinstatement of the dismissed railway employees. Though it is a big problem, the government has announced its decision so soon after its formation

In the early stage itself there was an adjournment motion regarding Jammu and Kashmir and the Home Minister and the Prime Minister announced that there will be elections within three months. At the same time we were expecting the Home Minister and the Prime Minister to announce the date for elections in Tamil Nadu as also in Pondicherry. The Janata Party has also said that they are ready to face the people any time. In Tamil Nadu we are at present having President's rule after the dissolution of the Assembly in 1976. The DMK Government was removed by the former Prime Minister due to corruption and misrule. The Report given by the Sarkaria Commission has been laid on the table of the House. When we asked the Prime Minister and the Home Minister about its further sitting, we were told that it would take its own time and that the law would take its own course. Nearly three months have elapsed but the date has not been announced when the Sarkaria Commission will sit in New Delhi or in Tamil Nadu.

Sufficient evidence has been given to show that the DMK Government has misused their power and there has been corruption in so many Departments of the Government. They utilized the Government machinery for their own purpose. They have built houses. Six cases have been proved. No chargesheet has been given so far. No action has been taken against the ex-Ministers in Tamil Nadu. ex-Ministers in Tamil Nadu are mis-using their power again.

I can prove that ex-Ministers with the aid of police and others have misused the power at the time of polling in my Constituency too it happened like that. I do not know with whose encouragement they are still doing that. I think Government will frame charges against the corrupt Ministers. Action can be taken against them under Criminal Procedure Code.

Justice must be done in proper time otherwise it is of no use. Justice delayed is justice denied.

There are so many cases against the DMK Government and ex-Ministers. Why is Government hesitating to take action and waiting? We do not know. I hope the hon. Prime Minister will announce dates for Pondicherry and Tamil Nadu election and he will announce the date for the sitting of the Sarkaria Commission.

I want to draw the attention of the hon. Prime Minister against the Land Reforms Act. In Tamil Nadu they had fixed ceiling of 15 standard acres for a farm. We want to know whether 15 acres will continue or it will be reduced further and the poor farmer will be allowed to have land. There are so many benami transactions. Whether the former Government whom I do not blame did something or not, whether proper wages have been given to the farmer or not. I want to say that Janata Government should take immediate steps to give proper wages to the poor labourers who are getting only Rs 2 per day. They are labouring for Rs 2 per day. What is the value of Rs 2 these days? It is not more than 50 to 60 paise. In Tamil Nadu the agricultural labourers are very poor. Wages have to be given according to the Act. Although the Act is there nobody is giving proper wages to the agricultural labourers. Land Development Banks which had given loans to the farmers are collecting these loans forcibly from the farmers. If the farmers are not

paying the loans sometimes their motors, their pump sets etc are seized, sometimes their vessels are being taken away from their houses by these Land Development Bank officers I had attended so many cases, I asked them to give some time to the farmers There is no Assembly there. That is why the officers take the law into their own hands and they are collecting vessels also from these poor farmers I request the Prime Minister to ask these Land Development Bank officers to wait for some more time to recover the loan from the farmers

I wish to draw your attention to one other point The DMK Slum Clearance Board Chairman was asked to pay fine for the violation of the Customs Law I don't want to name the ex-MLA the Slum Clearance Board Chairman He and his wife had been arrested and they paid the fine in the Customs Office itself

AN HON MEMBER He has been acquitted.

SHRI C N VISWANATHAN. Mr Kumari Anandan talked about Mr Kamaraj

AN HON MEMBER The time is already five minutes past 7-30

MR. CHAIRMAN If you have no objection I can extend it till 8 I think you have no objection

SHRI K. MALLANNA (Chitradurga) The Parliamentary Affairs Minister is there The Prime Minister is there Let them re-fix some time tomorrow as it is very difficult now to sit further

SHRI C N VISWANATHAN It is not New Delhi, it is New Delhi, —it will carry out news to other parts of India There are number of things

needed in my constituency I don't want to go into this in detail. But I want to tell one thing to the Government In my constituency nearly Rs. 17 crores worth of sandalwood has been put under auction If the same sandalwood can be utilised by starting a factory, the constituency people will get benefit and it will help to solve the unemployment problem. If a factory had been started there, this unemployment problem will go and at least thousand people in my constituency will be benefited Now, what has happened is this Rs 17 crores worth of sandalwood had been taken away to some other constituency, to some other State, though it is in India. This new factory may be started by the new Government and I expect this news to come from New Delhi. I expect this announcement by the new Government that this factory will be started there

Mr Kumari Anandan said something about Mr Kamaraj, our beloved leader The late Shri Kamaraj never said in his last words that the Congress-O should have the alliance with the DMK corrupt people Kamaraj in his lifetime said, "the DMK are corrupt, they have misused their power, they should be punished". This is what Kamaraj said all his life Mr Kumari Anandan cannot deny what I say The people in Tamilnadu know this Everybody spoke of the DMK as the corrupt people I am expecting an announcement from the Prime Minister regarding the sitting of the Inquiry Commission. I hope he will make announcements regarding the elections in Tamil Nadu and Pondicherry We are ready to face the people

On behalf of the Anna DMK I request the Prime Minister to announce a date about conduct of elections in Tamil Nadu when he replies to the debate tomorrow Thank you.

The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, April 5, 1977/Chaitra 15, 1899 (Saka)

CONTENTS

No. 9, Tuesday, April 5, 1977¹ Chaitra 15, 1899 (Saka)

	COLUMNS
Welcome to the Parliamentary Delegation from Finland	1
Oral Answers to Questions :	
*Starred Questions Nos. 1 to 5	2—30
Written Answers to Questions :	
Starred Questions Nos. 6 to 20	30—44
Unstarred Questions Nos. 1 to 50	44—78
Papers laid on the Table	78—94
Messages from Rajya Sabha	95
Food Corporations (Amendment) Bill— As passed by Rajya Sabha	95
Calling Attention to Matter of Urgent Public Importance— Immediate release of political prisoners	96—105
Statement re. Government's Policy on Universalisation of Literacy, Improvement of Secondary Education, Research, Political victimi- sation in the Department of Education and Culture and removal of restrictions on elections to Students' Unions—	
Shri Pratap Chandra Chander	106—108
Government of Union Territories (Amendment) Bill—Introduced	108—10
Statement re. Government of Union Territories (Amendment) Ordinance—	
Chaudhuri Charan Singh	110—111, 226—28
Delhi Administration (Amendment) Bill—Introduced	111
Statement re. Delhi Administration (Amendment) Ordinance—	
Chaudhuri Charan Singh	111
Disputed Elections (Prime Minister and Speaker) Bill—Introduced	111
Motion to introduce—	
Shri Shyamardan Mishra	112—15
Shri Sharad Yadav	115—17
Shri Madhu Limaye	117—19
Shri Hari Vishnu Kamath	120—21
Shri Shanti Bhushan	121—26

*The sign + marked above the name of a Member indicates that the question was actually asked on the floor of the House by that Member.

LOK SABHA DEBATES

LOK SABHA

Tuesday, April 4, 1977/Chaitra EL, 1899
(Saka)

The Lok Sabha met at Eleven of the Clock

[MR DEPUTY SPEAKER in the Chair]

WELCOME TO THE PARLIAMEN-
TARY DELEGATION FROM
FINLAND

MR. DEPUTY SPEAKER At the outset, I have to make announcement

On behalf of the Speaker, on my own behalf and on behalf of the Hon'ble Members of the House, I have great pleasure in welcoming the Hon'ble Members of the Parliamentary Delegation from Finland who are on a visit to India as our honoured guests. The members of the delegation are

- 1 Mr Kuomo Horkonen MP—
Leader of the delegation
- 2 Mr Ralf Friberg, MP
- 3 Mr Pertti Salolainen, MP
- 4 Mrs Terhi Nieminen, M'P
- 5 Mr Heimo Linna, MP and
- 6 Mr Jaakko Hissa

The delegation arrived early this morning and will be in India till the 9th April. They are now seated in the Special Box. We wish them a happy and fruitful stay in our country. Through them we convey our greetings and best wishes to the Parliament Government and the People of Finland.

175 LS—1

ORAL ANSWERS TO QUESTIONS

IMPLEMENTATION OF RECOMMEN- DATIONS OF HATHI COMMITTEE

*1 SHRI VASANT SATHE Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state

(a) the present stage of implementation of the recommendations of Hathi Committee on Drugs, and

(b) particulars of final decisions taken/proposed to be taken recommendation wise?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA) (a) and (b) The Report of the Committee on Drugs and Pharmaceuticals Industry (Hathi Committee) has been under consideration of the Government. Final decision on the various recommendations made by this Committee shall be taken as soon as possible.

SHRI VASANT SATHE This Report of the Hathi Committee as the hon. Minister will be knowing, has been there for quite some time before the Government and we thought that in view of the importance of the recommendation it will be implemented with all earnestness. But so many things have transpired in between and may I particularly invite the attention of the hon. Minister, who is a dynamic person himself, to the recommendation in Chapter V, at page 86 of the Report. Para 4 says

"Between 1952 and 1965 and even upto 1968 well know multi national units and a few Indian units operating in this country received a big impetus to boost their turn over in

the shape of 'Permission Letters' 364 of these items were permitted to be manufactured by 15 leading foreign units. Four of these items were bulk drugs and the remaining 360 items were formulations many of which could have easily been manufactured by the Indian Sector.

MR. DEPUTY SPEAKER You are entitled to supplementary

SHRI VASANT SATHE His reply was only that it is under consideration. I am reading this out to invite his attention so that he can give reply in full. This is a short thing.

"The formulations included household remedies, such as formulations containing vitamins and minerals many of which did not require a doctor's prescription cough mixtures ring worm ointments, 'health salts' gripe mixtures laxative tablets etc."

The particular recommendation of the Committee is that these 117 well-known medicines for the common man should be manufactured in India by the Public Sector and also by the Indian Sector. What is the Government's policy regarding this?

SHRI H N BAHUGUNA Sir I had already submitted that the matter is under consideration. So far as this Government is concerned it is a question of days that we have been here. Shri Sathe would recall, as a Member of the Fifth Lok Sabha and who continues even now, that the shoe is on some one else's leg.

Right now I can assure him that it will not take as long as the other side took when they were sitting on this side. I can assure him that the whole of the recommendations will receive due consideration. Many of them are unexceptionable.

SHRI VASANT SATHE I thank the hon. Minister for promising to take expeditious action. I would also

like to invite his attention to another important recommendation about having a national drugs authority both for production as well as qualitative control and price control. What is the Government's thinking relating to this? Perhaps he might not have applied his mind.

SHRI H N BAHUGUNA We are intensively thinking on the whole question.

SHRI CHITTA BASU Sir the hon. Minister is reported to have observed very recently that it is Government's policy to provide medicines for millions. In view of this observation having been made recently by the hon. Minister may I know from the Government whether some of the recommendations of the Hathi Committee are directly related to taking measures in the matter of translating into action the so called efforts? If so I want to know whether he is in a position to assure the House that he will take immediate steps for the supply of medicines at cheapest rates to the masses of our country.

SHRI H N BAHUGUNA Sir not a day more than is necessary will be lost in finalising the Government's views on this very important and specific sector of our economy.

SHRI SONU SINGH PATIL Will the hon. Minister be pleased to state whether the Hathi Committee had declared the permission letters and the COB licences as without any legal backing? If so will he be pleased to declare all such activities as illegal? Is it a fact that the COB licence and permission letters so declared were for the production of the extent of Rs 184 crores out of the national production of Rs 450 crores in 1976-77? If this is so why was this production of non-essential items by the foreign firms allowed? What is the intention of the Government? Is it their intention to stop it?

SHRI H N BAHUGUNA As I said, this is a new Government and anything done by the predecessor Government is also under review along with the recommendations of the Hathi Committee. I think it has done a great service in the matter of this particular sector.

DR SUSHILA NAYAR Sir, I would like to know whether it has been the policy and it has been discussed for a long long time that certain drugs which are commonly required should be produced in bulk and supplied to the consumers at cheap rate. So far some steps have been taken in regard to what are regarded as lifesaving drugs which are required by very few people. I would like to know from the Hon. Minister whether he is in a position to tell us as to what is being done to supply commonly required drugs like aspirin, vitamin and other drugs for children at as cheap a rate as possible. This can only be done if they are produced in bulk and also if they are produced by the small manufacturers whose overheads are small as compared to the big manufacturers of drugs.

SHRI H N BAHUGUNA Sir, the hon. Member being a physician has a good deal of experience and I agree with her that a lot of things should be done. But I have only asked for a very small reprieve so that we can come out with a total policy in regard to this question.

SHRI NATVARLAL B. PARMAR I would like to know whether the recommendations of the Hathi Committee have been twisted diluted and changed by the officials in the interest of the multinationals like Pfizer, Sandoz and May & Baker? If so, the details thereof.

SHRI H N BAHUGUNA The question of dilution does not arise because the whole thing has not yet been finalised. I can assure the hon. Member that anything that is done by this go-

vernment will not be in the interest of anyone except India.

SHRI JYOTIRMOY BOSU Is the Minister aware of the fact that a multinational organisation of drugs viz., OPPI of Bombay has set up a very powerful lobby in the Capital with their huge office of a resident representative to stall the recommendations of the Hathi Committee by influencing the officials? If so, what steps have been taken by the government in this regard?

SHRI H N BAHUGUNA The great guarantee against all these types of activities is my hon. friend Shri Bosu. So we need not be afraid of the resident representative.

PURCHASE OF CRANES BY ONGC FROM DEMAG OF GERMANY

*2 **SHRI JYOTIRMOY BOSU** Will the Minister of PETROLEUM be pleased to state

(a) whether Oil and Natural Gas Commission or any other Government Oil Organisation has bought cranes and other items from DEMAG of Germany,

(b) if so, facts thereof and

(c) who are their representatives/agents in India?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H N BAHUGUNA)
(a) to (c) A statement giving the requisite information is laid on the Table of the Sabha.

Statement

(a) to (c) The ONGC invited open tenders in 1975 for the purchase of 8 truck mounted mobile cranes of 40/45 tonne capacity. Since one of the firms reduced its offer after the opening of the tenders, the ONGC held negotiations with all firms who had made technically acceptable offers. The re-

vised offers of these firms were as follows —

Name of the firm, Indian agent	Name of machine	Source	FOB price for 8 cranes (Rs)	CIF price for 8 cranes (Rs)
1 Earth Moving & Machinery Co New Delhi	Hoist 5460	USA	1 34 crores	1 53 crores
2 Nischo Iwai Japan.	Link belt HC-218 J	Japan	1 42 crores	1 62 crores
3 Escorts Ltd Fardabad	North West 60-T	USA	1 32 crores	1 74 crores
4 Maruti Heavy Vehicles Ltd Gurgaon.	Demag TC-230-L	German	1 62 crores	1 76 crores

2. After duly considering these offers, the ONGC proposed that orders should be placed with the lowest tenderers namely M/s. Earth Moving and Machinery Co. New Delhi for American Hoist Cranes. While this proposal was being examined in the Ministry M/s. Maruti Heavy Vehicles Ltd. Gurgaon the Indian agents for Demag cranes revised their offer from Rs 1.76 crores to Rs. 1.70 crores (CIF)

3. The Minister of Petroleum did not agree with the ONGC's proposal and expressed the view that Demag cranes should be purchased even though these were not the lowest priced. This view was ultimately accepted by the Ministry of Finance and ONGC were thereupon asked in February 1976 by the Ministry of Petroleum to place an order on Maruti Heavy Vehicles Limited for 8 Demag cranes, at a total cost of Rs 1.70 crores.

4. Spare parts for the aforesaid Demag cranes have been ordered in March 1977 for Rs 22 lakhs through Maruti Heavy Vehicles (Pvt) Ltd.

SHRI JYOTIRMOY BOSU Sir in this context I would like to know whether the ONGC's requirement was genuine or not because I have great doubt as this involves Mr. Indira and Son and Co Ltd. The ONGC required

8 truck mounted mobile cranes of 40-45 tonnes each. The tender calling was an eye wash as they had urged the erstwhile pseudo socialist Minister Shri Malaviya to give the business to Maruti Heavy Vehicles Ltd., New Delhi and the Commission for this deal was about 21 per cent which was wholly paid in foreign exchange. The business was given to Maruti Heavy Vehicles Ltd. New Delhi as they were the agents of the West German firm called Demag.

Sir in the context of what I have said is it also a fact that the erstwhile pseudo socialist Minister Shri Malaviya in his note dated 29th January 1976 overruled the ONGC's recommendation that the lowest quotation should be accepted. He had stated on the file

"I do not agree with ONGC's recommendation to buy the US cranes which seems to have been motivated by the lower cost of these cranes."

Sir I would also like to know whether it is a fact that the business was given to Maruti Heavy Vehicles Ltd. New Delhi, even when their quotation was Rs. 1.76 crores and that of the Earth Moving and Machinery Company that is HOIST was Rs. 1.53 crores.

I would also like to know whether the erstwhile Minister also stated on the file

I am not convinced that the cheapest should prove best for us. More so because Demag machines are stronger and sturdier. It can be used for longer periods.

They might enjoy that reputation second to none. Demag is a good international company outside the U.S.A. and we should try and establish special relations with them. Therefore I want to know what are the other things that he said. He also said "I do not see any useful purpose in pursuing for further reduction in price. I would like to know about it from the hon. Minister."

SHRI H N BAHUGUNA It is a fact, Sir, that Maruti Heavy Vehicles Ltd. Gurgaon was given this tender in spite of their higher bid and the lower ones were left out. It is also true that the then Petroleum Minister Mr. Malaviya made the notings on the file but my hon. friend appears to know more about it than myself. I do not have the file with me. Therefore I will not challenge him on that score. But if my memory goes right the claim of the hon. Member appears to be somewhat the way it appears on the file.

SHRI JYOTIRMOY BOSU Is it also a fact that the honourable erstwhile Congress Minister Shri C. Subramaniam who is sitting here on our right—the Minister of Finance requested the Minister for Petroleum to reconsider his decision and let the ONGC accept the lowest tender for the supply of American hoist cranes. Thereupon the former Petroleum Minister recorded that the quotation be considered favourably. The Finance Minister said, "Do not accept the lowest quotation. Give this to any other capitalist country except the highest quotation because it involves the Prime Minister's son Mr. Sanjay Gandhi. What a

shame and what a bad day for the country!"

MR. DEPUTY SPEAKER What is the question now?

SHRI JYOTIRMOY BOSU The question is whether the erstwhile Finance Minister has turned down the recommendations of his own Ministry, i.e., Secretary of Expenditure and has approved the quotation of the much higher price from another capitalist country.

SHRI H N BAHUGUNA It is a case which has gone through this very unfortunate case with some concern and anxiety. But I think so then that made the decision unfortunate but to the nation it is serious. But I think Mr. Subramaniam knows the use of English better than any one of us do. He never said "Give it to any one." He put it in the words "make the tender more competitive." So I do not really know whether his Ministry thereafter took care to see his noting and follow his advice or not. The whole thing concerning that appeared to have been done in a manner which creates so many doubts in many good intentioned minds.

SHRI JYOTIRMOY BOSU On a point of order. I have given notice to lay it on the Table of the House. Under Rule 368 I have given prior notice and provided a copy to you.

MR. DEPUTY SPEAKER Mr. Bosu in the first place the document has not been seen by anybody. So I request you to give it at the Table of the House and we shall see whether it can be laid on the Table.

SHRI JYOTIRMOY BOSU Sir, you cannot proceed without disposing of it.

MR. DEPUTY SPEAKER I have already disposed of it. You have given it at the Table and we will examine what can be done.

SHRI JYOTIRMOY BOSU I have complied with the requirements as per the rules. You can't take the arbitrary decisions here. I have complied with the rules. I have given an advance copy to the Secretary General. How on earth can you say that I should hand it over at the Table?

MR DEPUTY SPEAKER Under the rule the Speaker has to look into the document and the Speaker has not had the time to look into it.

SHRI JYOTIRMOY BOSU Kindly see rule 363 and also directions 117 and 118. They provide that an advance copy should be given; it should be authenticated and notice should be given before 10 O'clock. You say it will be looked into.

MR DEPUTY-SPEAKER You have just handed over the document.

SHRI JYOTIRMOY BOSU Before the sitting of the House. Do not say things which are not correct.

MR DEPUTY SPEAKER The Speaker has had no time to look into it. I have already given my ruling; it will be looked into and if it is in order to lay it on the Table you will be permitted to lay it on the Table.

SHRI JYOTIRMOY BOSU I am now giving you this copy; you can do what you like. (Laid on the Table of the House. Placed in Library. See No IT 42A/77)

DR. SUBRAMANIAN SWAMI So far the hon. Minister has answered only one part. In view of this I should like to know about the other item. May I know whether the OAGC had also invited tenders for 23 trucks and then also the tender was given to Maruti Company or? (Hurry Trucks). Maruti is an omnibus name; their tender was high by about 2 and half times of the lowest tender, yet it was offered to them. Maruti instead of manufacturing the truck in

this country, imported 12 from Germany and 12 from the United States International Harvester. Mr. Sanjay Gandhi also happened to be a commission agent of that company. May I know whether these are facts and also whether the trucks were actually imported though they could have been produced in this country as we have the capacity to manufacture trucks in this country?

SHRI H. N. BAHUGUNA The hon. Member is asking a specific question about trucks. The information available with me is to the effect that what was brought from Germany was cranes and not trucks. Of course cranes were mounted on the trucks. To that extent they have been purchased. So far as other things are concerned I will need further information.

श्री कृष्ण लाल गुप्त उपाध्यक्ष महोदय, क्या यह सही है कि भारत में हेवी मिल्किट्स से मो एन जी सी ने 6 रोड रोलर भी खरीदे हैं जब कि उनका टेण्डर लोस्ट भी नहीं था ? यह भारत में हेवी मिल्किट्स एक बाढ़ है क्योंकि इसका पास सारी मशीनरी कुल 12 हजार रुपये की है। मैं जानना चाहता हूँ कि जो रोड रोलर खरीदे गए वह कितने लागू हुए हैं वे और वहाँ से खरीद करके यह सप्लाय किए गए ? अगर यह ठीक है तो क्या मंत्री महोदय इस चीज की इन्क्वायरी करेंगे कि मो एन जी सी ने मार्च हेवी मिल्किट्स से कितना मान खरीदा है और कितनी इस्ती-मीनटीज की हैं और जिन बेयरमैन या मण्डल न गैर बानूरी बायबाही की क्या उनके खिलाफ आप कार्यवाही करेंगे ?

SHRI H. N. BAHUGUNA The question is getting wider and wider. We were only concerned with crane in this question. If the hon. Members want more information which is not just now available with me they will have to give me notice. If something is brought to

my notice which is worthy of enquiry, it will be done. In the instant case I can say that this order was given over-ruling the ONGC. The ONGC had said that it should not be given to Maruti Vehicles Ltd but in the Government of India, the Petroleum Minister over-ruled that view. The Secretary to the Government is not at all responsible, I have seen the files with regard to this matter; the officers have had no hand in the matter.

श्री मधु लिमये : उपाध्यक्ष महोदय, मैं इस सम्बन्ध में माननीय मंत्री का ध्यान एक बात की ओर दिलाना चाहता हूँ जिस पर मेरा प्रश्न आधारित होगा कि श्री एन जी सी, सेक्रेटरी पेट्रोलियम, सेक्रेटरी एक्सपेंडीचर (फाइनेंस मिनिस्ट्री), सेक्रेटरी एकोनामिक अफेयर्स—हम लोग इन सिविल सर्वेंट्स के ऊपर हमेशा हमला करते हैं जब वे गलत काम करते हैं, मैं स्वयं भी करता हूँ लेकिन यह जो मामला है कैन वाला इससे इमरजेंसी का गदा बेहरा बिल्कुल साफ आपक सामने आता है। चार-चार सिविल सर्विस के अधिकारियों ने लगातार कहा कि यह नहीं होना चाहिये, लेकिन हमारे श्री केशव देव मालवीय ने—उनका नाम मुझे अवश्य लेना चाहिये, क्योंकि वे बड़े प्रगतिशील हैं, हमारे रुसी मित्र भी उनको बड़ा प्रगतिशील मानते हैं—इसमें हस्तक्षेप किया। इस लिये मैं पूछना चाहता हूँ कि इस तरह का राजनीतिक स्तर पर जो हस्तक्षेप हुआ और सजय के सामने और उनके मारुति हेवी इंडीकल्स के सामने ये लोग जो झुके हैं—केशवदेव मालवीय और हमारे लायक दोस्त श्री सी० सुब्रह्मण्यम्—तो क्या आपके पास इस बात की कोई जानकारी है कि प्रधान मंत्री के डर से, इन अधिकारियों के द्वारा जो राय दी गई थी, उस राय को बदल दिया गया? क्या आप इस बात की भी जांच करायेंगे—जैसा इन्होंने कहा है कि इनको कोई कमीशन नहीं मिली, लेकिन हमको जानकारी है कि इनको हायर प्राइस पर 21 प्रतिशत और लोअर प्राइस पर 15 प्रतिशत

कमीशन विदेशी मुद्रा में मिली है और जो विदेशी बैंको में जमा है? क्या मंत्री महोदय इस बात का भी आश्वासन देंगे कि आप प्राइम मिनिस्टर साहब, फाइनेंस मिनिस्टर साहब और आप के रेवेन्यू इंटेलिजेंस से बात करके अपने खुफिया विभाग के द्वारा इसकी जांच करायेंगे कि इस में सत्य क्या है?

श्री हेमवती नन्दन बहुगुणा : मान्यवर, माननीय मधु लिमये जो वे प्रश्न के दो भाग हैं। पहले भाग में उन्होंने यह कहा है कि तमाम अधिकारियों की राय के विरुद्ध तत्कालीन मंत्री श्री केशव देव मालवीय ने जो आज्ञा दी वह अनुचित थी। यह किसके दबाव से हुआ? मेरी राय में मैं इस वक़्त इतना ही कह सकता हूँ कि उन्होंने जो आदेश दिये वे उचित नहीं थे। उन्होंने तमाम अपसरों की ओवर हल किया—जिस के डर से किया, किस के कहने से किया।

श्री मधु लिमये : मैं सिर्फ इतना पूछना चाहता हूँ—क्या आप इस की जांच करायेंगे?

श्री हेमवती नन्दन बहुगुणा : उनका दूसरा प्रश्न यह है कि उनको कुछ विदेशी मुद्रा मिलनी या नहीं मिली। माननीय मधु लिमये जी ने जो पूछताछ की है, मैं इस बात को माननीय प्रधान मंत्री जी के सामने—इस सारे प्रश्न के सभी अंशों की बावत, मेरी अपनी राय, सदन में माननीय सदस्यों ने जो बातें कही हैं वे सब उन तक पहुँचा दूँगा। मेरी राय में सरकार पूरी जानकारी प्राप्त करना शायद जरूर पसन्द करेगी।

श्री मनोहर लाल : मारुति, जिसके मैनेजिंग डायरेक्टर मुवा सभाद सजय गाधी हैं, 4 करोड़ का मामला है।

श्री हुकम चन्द कछवाय : उसको क्यों इतना बढ़ा रहे हो।

श्री मनोहर लाल : मैं तथाकथित युवक-सभाद कह रहा हूँ। उत्तर प्रदेश रोडवेज की 450 बसेज की बाधी बनाते ...

MR DEPUTY-SPEAKER This question relates to ONGC Your supplementary does not arise out of this. Next question.

श्री मनोहर लाल उपाध्याय महादेव,
यह बहुत महत्वपूर्ण मामला है। साढ़े चार
बरोड़ की बात है—लेकिन प्राप मुझ समय
नहीं दे रहे हैं 450 वमेज की बाड़ी बनाने का
मामला है

MR. DEPUTY SPEAKER I have already said that it does not arise out of this question. I have already called the next question.

Judges in Madras High Court

*3 SHRI M. KALYANASUNDARAM Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state

(a) the sanctioned strength of judges of the High Court of Madras

(b) whether any judges are working in that High Court on temporary basis, and

(c) the reasons for not filling up the vacancies there if any?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN) (a) The sanctioned strength of the High Court of Madras at present is 16 Permanent Judges and 6 Additional Judges

(b) At present 14 permanent Judges and 2 Additional Judges are in position.

(c) The matter has been under the consideration of Government Consultation with various authorities has taken time.

SHRI M. KALYANASUNDARAM Only 16 Judges have been working as against the sanctioned strength of 22. May I know for how long there

vacancies were kept in abeyance? If it is a long period, will the Minister examine why it is so? May I know whether the basis on which the sanctioned strength was fixed was wrong? Is it not a fact that because these vacancies existed for a very long time it resulted in arrears piling up in the High Court?

SHRI SHANTI BHUSHAN The two vacancies of permanent judges have been existing since 1st August 1975 and there have been other additional vacancies also for a considerable period. The reason for the appointment not having been made is that the Chief Justice of the Court and the Chief Justice of India have to be consulted and they have been changing their opinions. So far as the present Government is concerned the hon. Member would appreciate that it has come to office only recently. The whole matter is under the examination of the present Government and we hope to take a decision very quickly in the matter.

SHRI M. KALYANASUNDARAM I cannot hold the present Minister responsible for the delay. But will he examine the cause for this inordinate delay? In view of the amendment to the Civil Procedure Code and the Criminal Procedure Code will the Government examine whether there is still need for the present sanctioned strength and whether there is any decline in the work of the High Courts?

SHRI SHANTI BHUSHAN I may assure the hon. Member that the whole question as to why the appointment to the High Court has remained pending for so long would be examined. Here I would like to make a submission that so far as the recommendation of the Chief Justice of the High Court and the Chief Justice of India is concerned in view of Article 121 of the Constitution that there should be no discussion about the conduct of judges

it is not right to discuss the conduct in public of persons holding judicial authority because that is likely to impair their efficiency. I assure the hon Member that all his sentiments in the matter would be borne in mind. The whole matter would be very closely examined before the Government takes a decision.

So far as the other part of the question is concerned, this would also be examined as to what the strength of the High Courts should be keeping in view the various amendments which have been made in the CPC and CrPC. I hope the hon Member will bear with me.

SHRI RAMA CHANDRA MALICK Whether it is a fact the large number of cases are still pending in the Madras High Court and other courts and what action Government is contemplating in this regard?

SHRI SHANTI BHUSHAN It is true that in various High Courts there are arrears and therefore the matter is receiving very close consideration of the Government. The Government will devote its thought to this problem at an early date.

SHRI ARAVINDA BALA PAJANOR Since 1975 vacancies of two permanent judges have been lying unfilled. There are four additional judges who are working there. What prevented the Government from appointing two permanent judges out of these four additional judges? I do not think two years time is required for consultation between the Chief Justice of India and the Chief Justice of the High Court.

SHRI SHANTI BHUSHAN The question is about the appointment of two additional judges.

SHRI ARAVINDA BALA PAJANOR It is about two permanent judges. They are waiting from 1975 onwards.

SHRI SHANTI BHUSHAN There were 2 additional judges, and there were 2 permanent vacancies. The question of appointing those two additional judges to the permanent vacancies was considered by the government. The recommendations of the Chief Justice of the High Court and the Chief Justice of India were obtained and in the light of the consultations with those Chief Justices, the term of those two additional judges for the time being has been extended by the previous government. So far as the present government is concerned as I said the matter is under examination as to what exactly should be done.

SHRI K. MAYATHEVAR I submit that the hon Law Minister had commented on the judges of the Madras High Court. We should not make any comments on the Chief Justice of the Supreme Court or of the High Courts. I admit this point. So far as the former Chief Justice of the Madras High Court Mr Veeraswami is concerned, he is facing a grave criminal charge which is pending before the sessions court at Madras. I would like to know the position of the case, its nature and whether government would look into it. We are not commenting on the conduct of the case. But that gentleman has committed criminal offences violating all justice as a matter of fact (*Interruptions*).

MR DEPUTY SPEAKER I am sorry that question does not arise out of this Question.

श्री मनोहर लाल : उपाध्यक्ष महोदय, मैं आपके माध्यम से, विधि मंत्री जी से पूछना चाहता हूँ कि जो भारत के विभिन्न राज्यों के हाई कोर्टों के कितने ही जजों का स्थानान्तरण किया गया उनकी प्रमोशन रोक दी गई क्योंकि उन जजों ने इंदिरा जी के मुताबिक अपने फैसले नहीं दिए थे, क्या उन जजों को वापस भेजने का आराखटा मंत्री महोदय देंगे ?

MR DEPUTY SPEAKER I must be very clear on one point The Question relates to the High Court of Madras You cannot extend it to the entire country Therefore I am very sorry I will not be able to permit that kind of a question. Those who want to ask specific questions can do so (Interruption)

श्री मनोहर लाल क्या विधि मंत्री महोदय यह बतायेंगे कि क्या यह बात सही नहीं है कि मद्रास की हाई कोर्ट के एक जज ने इंदिरा जी के मृत्युविक्रम पत्रिका नहीं दिया था इस कारण से उनका स्थानांतरण किया गया ? क्या मंत्री महोदय यह घोषणा करने के लिए तैयार हैं कि इस प्रकार से हुए स्थानांतरण का रोकथाम प्रयोग के सम्बन्ध में वे कार्यवाही करेंगे ?

MR. DEPUTY SPEAKER Mr Manohar Lal I allowed you on the previous question as also on this question but unfortunately you seem to be asking a question which is not connected with this Question. Please be specific when you ask questions you should put them on the basis of the Question that is there

SHRI SHANTI BHUSHAN As far as the Madras High Court is concerned one judge was transferred from Kerala to Madras on the 3rd January 1977 As far as the transfer of judges from one High Court to another which had been made during the period of Emergency without the consent of those judges is concerned the policy of the present government is generally against it And this government would like to transfer back those judges from the High Courts to which they have been transferred, of course after obtaining their consent. If some of them want to remain where they have been transferred, it is a different matter But I would like to make one thing clear whether any exception should be made to

this general principle is still under the examination of the present government A definite policy in regard to that would be suitably considered and adopted

श्री मनोहर लाल : मेरा एक व्यवस्था का प्रश्न है। ध्याते रहना है कि यह मद्रास के बारे में बात है और दूसरे प्रांतों के बारे में सवाल नहीं किए जा सकते हैं। मेरा व्यवस्था का प्रश्न यह है कि अगर मंत्री महोदय जवाब देना चाहें और उनके पास सवाल का जवाब देने के लिए मेटीरियल हो तो ध्यात उनको जवाब देने दें, उनको रोकें नहीं।

MR. DEPUTY-SPEAKER It is not a point of order I want to make it quite clear for future guidance that when there is a question on the Order Paper, the Minister will be asked to answer only that specific question and supplementaries relating to that question You cannot traverse the entire ground all over the country Even if the Minister has got the information, still he can give it only when a separate question is tabled, and not by way of answer to a supplementary

श्री हरम चन्द बक्षवाय मेरा न्यायालय जैसे देश में घनेता उच्च न्यायालय है और श्री ए जजों की कमी है और उस कमी की वजह से लगभग बेसिस पांच पांच और दस दस वर्षों से वैडिंग पड़े हुए हैं। मद्रास की तरह तो सभी उच्च न्यायालयों में जजों की नियुक्ति बच कर कर दी जाएगी ? मैं जानना चाहता हूँ कि कितने जजों की कमी है और बेसिस जल्दी निपट सके इसके लिए सरकार बोनस की व्यवस्था करने जा रही है ?

SHRI SHANTI BHUSHAN Government is fully conscious of the problem that even the sanctioned strength of Judges in the High Courts

श्री हरम चन्द बक्षवाय मेरा व्यवस्था का प्रश्न है। मैंने प्रश्न हिन्दी में किया है और

इसका उत्तर भी हिन्दी में ही आना चाहिये।
मन्त्री महोदय बहुत प्यारी हिन्दी बोलते हैं।
मैं इनकी हिन्दी पर विदा हूँ।

श्री शान्ति भूषण : सरकार की इस बात की पूरी जानकारी है।

SHRI MOHANARANGAM Sir, we want the answer in English, because the whole question relates to Tamil Nadu

MR. DEPUTY-SPEAKER The Minister may reply in any language he pleases.

AN HON. MEMBER The translation is there

SHRI MOHANARANGAM The translation that we are getting is only half

MR. DEPUTY-SPEAKER The Minister can speak in any language

SHRI SHANTI BHUSHAN Mr Deputy-Speaker, may I say that I am equally in love with all the languages of this country? I would like to learn all the languages of this country

SHRI ARAVINDA BALA PAJANOR The translation that we are getting for the last five days is imperfect. So, we would like to have the replies in English.

SHRI SHANTI BHUSHAN May I with your permission, so far as this particular question is concerned answer in both Hindi and English?

The Government is fully conscious that even the sanctioned strength of High Court Judges in various High Courts have not been maintained for long periods by the previous Government for reasons best known to them. The Government, therefore, has been examining this issue and would like to come forward with solutions to this problem, as quickly as possible

It would also be examining as to what strength is necessary in the High Courts to solve the problem of pending arrears, because the Government feels that every case must be decided as expeditiously as possible

श्री शान्ति भूषण सरकार को इस बात की पूरी जानकारी है कि हाई कोर्ट में जितने जजों की संख्या सैंक्शन्ड रही है उस पर भी उनकी नियुक्तियां जल्दी नहीं की गई हैं और काफी समय तक बढ़ा पर नियुक्तियां पड़ी रही हैं। सरकार इस समस्या पर अपना ध्यान पूरी तरह से देगी और जल्दी ही कुछ निर्णय लेगी कि इस सम्बन्ध में क्या करना है। नियुक्तियां जल्दी होनी चाहियें, और कितने जजों की जरूरत किस हाई कोर्ट में है उसके ऊपर भी सरकार ध्यान दे कर अपनी नीति निर्धारित करेगी।

Re-examination of Acts passed during
Emergency by High Power Committee

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*4 SHRI SAMAR GUHA
SHRI BASHIR AHMAD

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state

(a) whether Government propose to set up a high power Committee to re-examine all the Acts passed by Government during period of Emergency from June 26, 1975 to March 23, 1977, and

(b) if so main features thereof?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN) (a) While Government have decided as a matter of policy to undertake a thorough review of MISA and examine the existing laws to see whether they are adequate to deal with eco-

nomic offences and the security of the country without denying the citizen the right of access to courts no decision has so far been taken to set up a high powered Committee for the purpose.

(b) Does not arise

SHRI SAMAR GUHA I am sorry to point out that though he is a very eminent lawyer he has not given proper attention to the Question. I had not mentioned MISA only. He has, by passing the main burden of my question. It is known that during the emergency about 101 general Acts which related to economic, political and judicial matters as also labour and various other problems were adopted by Parliament. These deal with very vital issues and affect the people as a whole. So I want to know whether Government will institute a thorough enquiry through an expert legal committee including representatives of Government as well as of the Supreme Court and High Court Bar Associations to go into the merits and demerits of these Acts and recommend whether some of them should be amended or repealed. He should go deep into the matter and say categorically whether all these Acts would be probed into by a high power expert legal committee.

SHRI SHANTI BHUSHAN The policy to review the Acts has been indicated by the Government in Paragraph 6 of the Address to Parliament by the Acting President of India. The policy is to review those Acts which had imposed curbs on the fundamental freedoms and civil rights of the people with a view to restoring the rule of law and the right to freedom of expression to the press. A large number of Acts had been passed during the period of the emergency. In fact the number of Acts passed by Parliament was 138. They include a number of Acts which are of a controversial nature. Government would review all those Acts which are of a controversial nature in

order to determine what is to be done, but so far no decision has been taken regarding the method to be adopted for reviewing those Acts. However the suggestion regarding the setting up of a high power committee for this purpose will be considered by the Government.

SHRI SAMAR GUHA My second question relates to constitutional amendments passed during the emergency. We were in jail for most of the time and we do not know exactly how many were adopted. As far as I know, five Acts were passed by Parliament, and they have completely changed the basic character of our Constitution.

I want to know from the Government—this time, they have used different words—whether a national commission is to be instituted by the Government to enter into a national dialogue with all sections of the people including the legal experts and men of legal opinions to see that are the provisions of the Acts which should be amended, what are the amendments that we have already adopted which should be repealed or changed or amended so that the principle of democracy and socialism as is our objective in our recent manifesto is defended and the people are assured that in future there is no possibility whatsoever of this kind of emergency taking advantage of the vague clause of emergency in the Constitution and there is no possibility, whatsoever to enforce any autocratic and tyrannical rule to which the whole country was subjected to?

SHRI SHANTI BHUSHAN The Government proposes to bring a comprehensive measure for constitutional amendments which will also cover 42nd Constitution Amendment Bill and the provisions would have to be adopted in order to finalise the decision of the Government. In regard to what amendments have to be made in the Constitution this is under the

consideration of the Government and the Government would be taking a decision thereon very shortly

SHRI BASHIR AHMAD There is a 42nd Constitution Amendment Bill. There are two amendments to the Civil Procedure Code and the Criminal Procedure Code. By virtue of these amendments, the power of the court has been taken away and the power to approach the court has also been taken away. I would like to know from the hon. Minister when he is going to make a report about these amendments and the Maintenance of Internal Security Act and by what date these amendments will be carried out so that the difficulties of the litigants may be minimised to the maximum extent.

SHRI SHANTI BHUSHAN I have already replied that all the controversial Acts which had been passed during the period of emergency would be reviewed by the Government in order to decide as to what policy the Government would adopt in regard to the change made by these Acts. The matter referred to by the hon. Member would also be suitably considered and the policy of the Government on that would be formulated.

SHRI K. LAKKAPPA There are certain Acts which were passed by the previous Government which would be reviewed by the present Government. I would like to ask a specific question from the hon. Minister. During the emergency certain Acts were passed to put down certain economic offences like smuggling, hoarding and blackmarketing. I would like to know what is the attitude of the present Government towards them, as far as these Acts are concerned?

SHRI SHANTI BHUSHAN The general policy.

SHRI K. LAKKAPPA I am asking a specific question.

(Interruptions)

SHRI MADHU LIMAYE You should ask a specific question.

(Interruptions)

MR. DEPUTY-SPEAKER The Minister is on his legs. The Minister will reply.

SHRI SHANTI BHUSHAN The Government's general policy is that every person before any action is taken against him must have protection from the court and the general policy to that effect would be adopted. The Government is determined to deal with such economic offences like smuggling itself with a heavy hand. The exact policy of the Government in this regard would be suitably formulated very shortly.

PROF. P. G. MAVALANKAR The Law Minister has given us an assurance that urgent attention is already being given to the matter and they are going to review all the 138 Acts passed during the emergency by the previous Government. He knows that many of us on this side of the House during that unfortunate and sad period had opposed tooth and nail not only the more important obnoxious and controversial legislation but also the apparently non-controversial legislation. The manner in which they were brought forward and the manner in which they were hurriedly got through by the House was also opposed by us.

I would like to ask the hon. Minister while he is reviewing the MISA and the 42nd Constitution Act whether he will not go into the question of all the 138 Acts including what he described as non-controversial legislation with a view to seeing whether they were passed in a right way or in a hushed-up way. I should also like to know whether the Government have decided upon any order of priorities with regard to taking up the more obnoxious Acts first and get them repealed as soon as possible so that the bad effects of those Acts are not inflicted on the people.

Secondly I would also like to know whether the hon Minister has a mind to keep the laws which are not repealed in abeyance so that this Government at least does not commit a sin of implementing those wrong, bad and unjust Acts which the previous Government got through the subservient Parliament by having a large number of Opposition leaders in jail and keeping other Opposition Members silent and even not allowing the voices of the people speaking here to go to the masses and the voters of this vast country

SHRI SHANTI BHUSHAN I appreciate the sentiments expressed by the hon. Member. The need of the speed in the matter and the speed in the review cannot be over-emphasized by the Government. It would engage itself in this task with the utmost expedition.

So far as the other point raised by the hon Member is concerned in regard to laws described as of a non-controversial nature the present Government also will be in agreement with the provisions contained in those Acts even though a wrong procedure or a hurried procedure, etc might have been applied by the previous Government. I would like to submit to the hon Member that if a right thing has been done and if the entire country the present Government as well as the present Opposition are in agreement with the laws which have been enacted then so far as the aspect of hurry is concerned, that may not be regarded as very important now.

श्री उग्रसेन : मंत्री महोदय ने कहा है कि मजिस्ट्रेट के 42वें संशोधन को संशोधन करने के लिये वह एक संशोधन विधेयक लायेंगे। मैं यह जानना चाहता हूँ कि क्या वह इन विधेयकों को मजिस्ट्रेट सत्र में लायेंगे।

SHRI SHANTI BHUSHAN I would not be in a position to give a cate-

gorical assurance. But it would be an attempt of this Government to bring forward a comprehensive Constitution Amendment Bill in the very next session of this House.

Judicial Reforms

*5 **SHRI C K CHANDRAPPA**
Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state

(a) whether Government have already taken steps to implement various proposals of Judicial Reforms which were implied in the 42nd Amendment of the Constitution enacted by the Fifth Lok Sabha,

(b) if so, the salient features thereof, and

(c) the main features of the proposals under consideration of Government for full and speedy implementation?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN) (a) to (c) It has been stated in the President's Address that during the course of the Year comprehensive measure will be brought before Parliament to amend the Constitution. The 42nd Amendment of the Constitution will be taken into account when working out the proposed measure. In the meantime no steps have been taken to implement the provisions relating to creation of All India Judicial Service and treating Administration of Justice as a concurrent list subject.

SHRI C. K. CHANDRAPPA In the 42nd Constitution Amendment Act there are provisions for setting up of the tribunals for the expeditious disposal of the cases relating to land reforms and wages of agricultural workers and others. I would like to know the attitude of the present Government in this regard as to whether the delay in bringing forward a comprehensive measure will

not affect the interests of these classes of people

SHRI SHANTI BHUSHAN So far as the provisions of the 42nd Constitution Amendment Act relating to the setting up of the tribunals are concerned and the corresponding exclusion of the jurisdiction of the High Courts is concerned, that will also be a matter which will need examination when the policy of the Government in regard to the comprehensive Constitution Amendment is finalised

SHRI C K CHANDRAPPA Now, since these are important matters and a large number of cases relating to land reforms are pending in courts I would like to know from the Honble Minister whether he can indicate when they can come forward approximately, with the Amendment—may be in the next session Can he give an assurance that he will be coming forward with such an amendment?

I would also like to know what will be their attitude when they come forward with the Amendment in regard to the Ninth Schedule in the Constitution—whether the Ninth Schedule in the Constitution will be abandoned as was proclaimed by the present Prime Minister

SHRI SHANTI BHUSHAN As I said earlier, while it would be Government's intention and effort to bring that comprehensive Constitutional Amendment measure as early as possible, perhaps in the very next Session of the House I am not in a position today to give a categorical assurance

So far as the Ninth Schedule of the Constitution is concerned that also raises important matters for consideration and so long as the Government's policy has not been formulated I would not be in a position to say anything about it.

SHRI SOUGATA ROY The Congress Government was of the opinion that justice delayed is justice denied and because so many cases relating to land reforms for the benefit of the poor landless labourers and farmers were pending in the High Court, they took up the idea of forming Tribunals for Land Reforms for procurement matters and for Labour matters under the 42nd Amendment Bill What is the attitude of the present Ministry in regard to the speedy disposal of these cases and towards the principle that justice delayed is justice denied? The Minister may please make his attitude clear

SHRI SHANTI BHUSHAN Government is fully conscious and believes that justice delayed is justice denied and therefore a procedure has to be there by which there is quick administration of justice and whereby disputes are settled as quickly as possible At the same time whether there can be an early disposal of disputes only by Tribunals and not in any other court which is an independent court needs examination Therefore the Government will examine all aspects of the matter before formulating its policy

WRITTEN ANSWERS TO QUESTIONS

Fertilizer Plant at Paradip

*6 **SHRI PRADYUMNA DAL** Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state

(a) whether the proposed Fertilizer Plant Project at Paradip Orissa the foundation of which was laid by the then Prime Minister in 1974 is going to be worked out and

(b) if so the progress made in the direction of execution of the Project?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H N BAHUGUNA)

(a) and (b) The Paradeep fertilizer project was not so far taken up for implementation due to the resources constraint. The question of implementing this project would be considered when additional fertilizer capacity is planned.

रासायनिक उर्वरकों की कीमत

* 7 श्री यमुना प्रसाद शास्त्री : क्या रसायन और उर्वरक मंत्री यह बताने की कृपा करेंगे कि सरकारी क्षेत्र के रासायनिक उर्वरक कारखानों में यूरिया, फास्फेट और पोटाश जैसे रासायनिक उर्वरकों की प्रति टन लागत कितनी है और किसानों को इस समय उनमें से प्रत्येक उर्वरक प्रति टन किस दर पर दिया जा रहा है ?

पेट्रोलिएम तथा रसायन और उर्वरक मंत्री (श्री हेमचन्द्रगुप्त बहुगुणा) : सरकारी क्षेत्र के कारखानों में यूरिया और फास्फेटिक उर्वरकों की प्रति टन निर्माण लागत अलग अलग है, जो प्रत्येक समरण सामग्री, प्रपाद, गई प्रक्रिया, समय की अवधि, स्थान, उप-भोगिता लागत आदि जैसे पहलुओं पर निर्भर करती है। पोटाश का, जिसको सीधे उर्वरक के रूप में और एन० पी० के० उर्वरकों में समटक के रूप में प्रयोग किया जाता है, पूर्ण रूप से आयात किया जाता है।

तीन मुख्य नाइट्रोजन युक्त उर्वरकों यथार्थ यूरिया, कैल्शियम अमोनियम नाइट्रेट और अमोनियम नाइट्रेट के गुरदा मूल्य साविधिक रूप में निरूपित किए जाते हैं। इस समय उनके मूल्य निम्न प्रकार हैं :—

- यूरिया . रुपये 1650 प्रति टन
कैल्शियम
अमोनियम
नाइट्रेट . रुपये 1035 प्रति टन

अमोनियम सल्फेट रुपये 935 प्रति टन (50 किलो ग्राम)
रुपये 925 प्रति टन (100 किलो ग्राम)

फास्फेटिक फर्टिलाइजर्स के मूल्य साविधिक रूप में नियंत्रित नहीं किए जाते हैं। तथापि मार्च, 1976 से, प्रचलित मूल्य समर्थन योजना के अनुसार कमप्लेक्स फास्फेटिक फर्टिलाइजर्स के अधिकतम बिजली मूल्य सरकार द्वारा निर्धारित किए गए हैं। इस समय प्रचलित मूल्य विवरण में दिये गये हैं जो सभा पटल पर रखा गया है। [इंक्विरी सत्रा एल-टी-48/1977] विभिन्न एककों द्वारा निर्मित सिंगल सुपर पोस्फेट के मूल्य फार्मूला के अनुसार, जिसकी सरकार द्वारा अनुमोदन हुआ है, फर्टिलाइजर्स एमोनिएशन भाफ इंडिया द्वारा निर्धारित किये जाते हैं। मुरिएट भाफ पोटाश का वर्तमान मूल्य 795 रुपये प्रति टन है जिसे इवि मन्त्रालय द्वारा निर्धारित किया जाता है।

सरकार ने सरकारी क्षेत्र और गैर सरकारी क्षेत्र के निर्माण एकरा में उर्वरकों के उत्पादन की लागत को गहन जांच करना 4 लिए औद्योगिक लागत तथा मूल्य म्यूरों के मध्यम डा० एम० एम० मराठे की अध्यक्षता में एक समिति का गठन किया है। समिति की रिपोर्ट शीघ्र प्राप्त होने की आशा है।

Completion of Talcher Fertilizer Plant

* 8 SHRI GANANATH PRADHAN: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state

(a) whether the Fertilizer Plant has been completed at Talcher in Orissa, and

(b) if so, the facts thereof?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILI-

ZERS (SHRI H N BAHUGUNA)
(a) and (b) The Fertilizer plant at Talcher is still under implementation. According to present schedule one stream of the fertilizer plant is expected to be mechanically completed by June 1977 and commissioned by October, 1977, the second stream is expected to be mechanically completed by September 1977 and commissioned by January, 1978

Election to Tamil Nadu Assembly

*9 SHRI K GOPAL Will the Minister of LAW JUSTICE AND COMPANY AFFAIRS be pleased to state—

(a) whether elections to Tamil Nadu Assembly are proposed to be held in the near future and

(b) if so, the salient features thereof?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN) (a) Election to the Tamil Nadu Legislative Assembly is proposed to be held as soon as possible. No decision has however, been taken in the matter

(b) Does not arise

बुन्देलखण्ड एक्सप्रेस

*10 श्री सखीनारायण नायक : क्या रेल मंत्री यह बताने की कृपा करेंगे कि—

(क) क्या झांसी और मुगलसराय के बीच चलने वाली बुन्देलखण्ड एक्सप्रेस झांसी से मानिकपुर के बीच पैसेंजर गाड़ी के रूप में चलती है, और

(ख) यदि हाँ, तो क्या इसे झांसी से मानिकपुर के बीच में भी एक्सप्रेस गाड़ी के रूप में चलाने के लिए कोई कार्यवाही करने का विचार है?

रेल मंत्री (प्रो० मधु दण्डवते) : (क) जी, हाँ।

(ख) जी नहीं।

रसायनो और उर्वरकों के मूल्य

*11 श्री नवाब सिंह चौहान : क्या रसायन और उर्वरक मंत्री यह बताने की कृपा करेंगे कि

(क) क्या सरकार का विचार उर्वरक, कीटनाशक औषधियाँ, खरपतखर नाशक औषधियाँ जैसे रासायनिक पदार्थों के मूल्य कम करने का है, और

(ख) यदि हाँ, तो तत्संबंधी योजना की मुख्य बातें क्या हैं तथा यह काम कब तक पूरा हो जाएगा।

पेट्रोलियम तथा रसायन और उर्वरक मंत्री (श्री हेमवती मदन बहुगुणा) (क) और (ख) : यह सरकार का प्रयास रहा है कि उर्वरक, कीटनाशक और शक्तिनाशक सहित प्रतिवार्य रसायनों का मूल्य कम किया जाए ताकि इनको यथासंभव कम दाम पर उपभोक्ताओं को उपलब्ध कराया जाए। रसायनों के मूल्यों का, जो सांविधिक रूप से नियंत्रित है समय समय पर पुनरीक्षण किया जाता है।

Production of Fertilizers

*12 SHRI SUSIHL KUMAR DHARA Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state

(a) the quantum of production of Fertilizers (all varieties) in the country, annually,

(b) present requirement of the same for land under cultivation, and

List of Chief Justice / Judges Transferred During Emergency

S No.	Name of the Judge transferred	Name of the High Court		Date of taking over
		From	To	
1	Shri S Obul Reddy (Chief Justice)	Andhra Pradesh	Gujarat	7-7-76
2	Shri B J Divan (Chief Justice)	Gujarat	Andhra Pradesh	1-7-76
3	Shri D S Tewatia	Punjab & Haryana	Karnataka	28-6-76
4	Shri O Chinnappa Reddy	Andhra Pradesh	Punjab & Haryana	28-6-76
5	Shri C. Kondiah	Andhra Pradesh	Madhya Pradesh	24-6-76
6	Shri D M Chandra Shekhar	Karnataka	Allahabad	5-7-76
7	Shri J R. Vinadahal	Bombay	Andhra Pradesh	24-6-76
8	Shri S H Sheth	Gujarat	Andhra Pradesh	24-6-76
9	Shri Sadanandaswamy	Karnataka	Gauhati	24-6-76
10	Shri S I Rangarajan	Delhi	Gauhati	22-6-76
11	Shri C. M. Lodha	Rajasthan	Madhya Pradesh	28-6-76
12	Shri A P Sen	Madhya Pradesh	Rajasthan	29-6-76
13	Shri T. U. Mehta	Gujarat	Himachal Pradesh	7-7-76
14	Shri D. B. Lal	Himachal Pradesh	Karnataka	3-7-76
15	Shri A D Koshal	Punjab & Haryana	Madras	5-7-76
16	Shri M. Baha-ud-Din Farooq	Jammu & Kashmir	Allahabad	20-9-76
17	Shri P Govindan Nair (Chief Justice)	Kerala	Madras	3-1-77
18	Shri Rajinder Sachar	Sikkim	Rajasthan	10-5-76

List of Judges Transferred as Chief Justices during Emergency

19	Shri S N Shankar	Delhi	Orissa	1-11-75
20	Shri M R. A. Ansari	Delhi	Jammu & Kashmir	29-1-76
21	Shri Manmohan Singh Goyal	Punjab & Haryana	Sikkim	7-5-76

Development of Railway in Sunderban, Hasnabad to Sealdah Station in West Bengal

Station in West Bengal after the completion of the techno-economic survey?

THE MINISTER OF RAILWAYS (PROF MADHU DANDAVATE) : Traffic Survey for construction of the following rail links in the Sunderban area of West Bengal has been completed

*17 SHRI ALHAJ M A HANNAN : Will the Minister of RAILWAYS be pleased to state the development of the proposed Railways meant for the Sunderban, Hasnabad to Sealdah

Name of the line	Length (in kms)	Cost (Rs. in crores)
(1) Canning-Golakari	20 Electric Traction	2.95
(2) Likhian kauria-Kakdwip	30 Do.	3.77
(3) Havnabad-Hatgachha (Protapadityanagar)	29 Steam Traction	5.10
(4) Canning-Hatgachha (Protapadityanagar)	30 Do.	4.13
(5) Sonarpur-Dhamkhali	50 Do.	2.73
(6) Budge Budge to Namkhana	82 { Steam Traction Electric Traction	6.45 10.30

As a result of the survey, the proposed new lines indicated at items 1—5 above have not been found to be economically viable in the absence of adequate traffic. The estimated capital cost of these new lines (159 kms.) would be Rs. 18.68 crores excluding rolling stock. Survey Reports have indicated that these new lines may prove to be unremunerative. A decision on the construction of these lines will depend upon the availability of resources in consultation with the Planning Commission.

Survey for Ernakulam-Alleppey Coastal Railway

*18 DR HENRY AUSTIN Will the Minister of RAILWAYS be pleased to state

(a) whether the survey for the Ernakulam-Alleppey Coastal Railway in Kerala has been completed, and

(b) if so when do Government propose to start the construction thereof?

THE MINISTER OF RAILWAYS
(PROF. MADHU DANDAVATE)

(a) Yes Sir

(b) The question of taking up this project is under consideration in consultation with the Planning Com-

mission. A decision will be taken on the scheme while making a review of the 5th Five Year Plan, taking into account the availability of resources.

पूर्वोत्तर सीमान्त रेलवे में नियुक्त हरिजन और आदिवासी कर्मचारी

*19. श्री युवराज : क्या रेल मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या पूर्वोत्तर सीमान्त रेलवे में काफी बड़ी संख्या में रेल कर्मचारी कार्यरत हैं और यदि हा, तो उनकी कुल संख्या कितनी है,

(ख) क्या इस रेलवे में नियुक्त हरिजनों और आदिवासियों कर्मचारियों की संख्या उनके लिए आरक्षित पदों की संख्या से कम है, और -

(ग) यदि हा, तो हरिजनों और आदिवासियों के लिए आरक्षित पदों को प्राप्त करने में बाधाओं की संभावना है?

रेलमन्त्री (प्रो० मधु दण्डवते) - (क) और (ख) एक विवरण सभा पटल पर रख दिया गया है ?

(ग) इस कमी को यथासम्भव शीघ्र दूर करने के प्रयास किये जा रहे हैं।

विवरण

(क) पूर्वोत्तर सीमा रेलवे पर 31-3-77 को कर्मचारियों की कुल संख्या इस प्रकार थी

श्रेणी I	126
श्रेणी II	364
श्रेणी III	33660
श्रेणी IV (सफाई वाला को छोड़कर)	50299
श्रेणी IV (सफाई वाले)	5727

(ख) हरिजनो को अनुसूचित जातियों में शामिल किया जाता है। उपर्युक्त पैरा (क) के सामने कर्मचारियों की जो संख्या दिखायी गयी है, उसमें अनुसूचित जातियों और अनुसूचित जनजातियों के कर्मचारियों की संख्या इस प्रकार थी

धनु० जाति अनु० जनजाति

श्रेणी I	3	6
श्रेणी II	23	6
श्रेणी III	2910	1016
श्रेणी IV (सफाई वाला को छोड़कर)	6548	2931
श्रेणी IV (सफाई वाले)	4373	13

सीधी भर्ती के कोटे में अनुसूचित जातियों और अनुसूचित जनजातियों के कर्मचारियों की संख्या में कितनी कमी थी, वह नीचे दिखायी गयी है

अनुसूचित अनुसूचित जातियाँ जनजातियाँ

श्रेणी II	72	92	164
श्रेणी IV	93	139	232

श्रेणी III के कर्मचारियों की संख्या में कमी प्रायः तकनीकी कोटियों में है और इस कमी का कारण उपयुक्त उम्मीदवारों का उपलब्ध न होना है। श्रेणी IV के कर्मचारियों की संख्या में कमी संगठन की कोटि में है जिसका कारण यह है कि अनुसूचित जनजाति के उम्मीदवार अपने घरों से दूर जाकर नौकरी करने के इच्छुक नहीं हैं और अनुसूचित जातियों के मामले में कमी रिक्रिया का प्रभाव होने के कारण है।

Increase in prices of Petrol and Diesel

*20 SHRI P KANNAN Will the Minister of PETROLEUM be pleased to state

(a) whether there has been any further increase in prices of petrol, diesel and other lubricating oils recently and

(b) if so the facts thereof?

THE MINISTER OF PETROLEUM AND CHEMICALS & FERTILIZERS (SHRI H N BAHUGUNA) (a) and (b) Recently there has been no increase in the ex refinery or basic ceiling selling prices of petrol, diesel oil or lubricating oil.

Production by Fertilizer Factories and Requirement of Fertilizers in the country

I PROF SHIBBAN LAL SAKSENA Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state

(a) the names of the various fertilizer factories, Government owned and private owned, all over the country with their annual production in each of the last three years.

(b) the names and places of new fertilizer factories under construction with the proposed capacity and the

date by which they will go into production and

(c) the total present need of fertiliser in the country and the amount of fertiliser need met from inside the country and by imports from outside country wise?

THE MINISTER OF PETROLEUM AND CHEMICALS & FERTILIZERS (SHRI H N BAHUGUNA) (a) A statement is laid on the Table of the House [Placed in Library See No LT-49/77]

(b) A statement is laid on the Table of the House [Placed in Library See No LT-49/77]

(c) The estimated agronomic requirement of fertilizers for the year 1977-78 is 31.30 lakh tonnes of Nitrogen, 8.71 lakh tonnes of Phosphate and 4.10 lakh tonnes of Potash. As the indigenous production of nitrogen and phosphate is likely to fall short of the agronomic requirement, the gap would have to be met by imports from different sources. Potash is not produced in the country and is therefore entirely imported. Disclosure of import details for 1977-78 is not considered advisable in the public interest.

Provision for Electrification of Madras Tiruvellore Line

2 SHRI O V ALAGESAN Will the Minister of RAILWAYS be pleased to state

(a) whether the budget provision for electrification of Madras Tiruvellore line in the Southern Railway for the year 1978-77 has been increased; if so, what is the increased provision;

(b) when is the project likely to be completed and

(c) whether the extension of the project upto Arakonam has been taken up?

THE MINISTER OF RAILWAYS (PROF. MADHU DANDAVATE) (a) An additional amount of Rs. 42

lakhs has been allotted to this project during the year 1976-77 bringing the revised provision upto Rs. 42.18 lakhs.

(b) By 1980

(c) No

रेलवे सुरक्षा दल के कर्मचारियों के बंटनमान

3 श्री रामानंद तिवारी क्या रेल मंत्री महोदय बताने की कृपा करेंगे कि

(क) रेलवे सुरक्षा दल के कास्टेबल, हेड कास्टेबल, प्रसिस्टेंट सब इन्स्पेक्टर और सब इन्स्पेक्टर के वे तमान क्या क्या हैं

(ख) क्या उन्हें 12 से 13 घंटे तक 'ट्यूटी' पर रोजा जाता है

(ग) उन्हें प्राथमिक तथा अन्य प्रकार की छुट्टी कितनी अवधि के लिए दी जाती है,

(घ) क्या छुट्टी की अवधि व दौरान उन्हें तथा उनके परिवार के सदस्यों को रेलवे पास दिए जाते हैं और

(ङ) क्या सरकार उन्हें बढ़िया देती है और यदि हाँ, तो उन्हें प्रोप्स तथा अरद् प्रगुप्स में कितनी कितनी बढ़िया कितनी-कितना अवधि के लिए दी जाती है?

रेल मंत्री (प्रो० मधु दण्डवते)

(क) बंटनमान नीचे बताए गये हैं —

रक्षक	200-240 रु०
प्रधान रक्षक	225-308 रु०
सहायक सब इन्स्पेक्टर	260-400 रु०
सब इन्स्पेक्टर	330-560 रु०

रक्षक प्रधान रक्षक, सहायक सब-इन्स्पेक्टर और सब इन्स्पेक्टर क्रमशः 10 रु०, 15 रु०, 20 रु० और 25 रु० का विशेष भत्ता पाव के भी पाव हैं।

(घ) रक्षक, वरिष्ठ रक्षक और प्रधान रक्षक की इम्पूटी का समय सामान्य 8 घंटे होता है। आपवादिक परिस्थितियों में, तात्कालिक आवश्यकताओं की पूर्ति के लिये उनकी इम्पूटी के घंटे कभी-कभी बढ़ा दिये जाते हैं। सहायक सब-इंस्पेक्टर और सब-इंस्पेक्टर पर्यवेक्षक कर्मचारी हैं अतः उनकी इम्पूटी के घंटे निश्चित नहीं होते।

(ग) रेलवे सुरक्षा दल के कर्मचारियों को अन्य रेल कर्मचारियों की भांति ही नैमित्तिक तथा अल्प छुट्टियां दी जाती हैं। इस दल के कर्मचारियों को एक वसंश्रुत वर्ष में 12 दिन की नैमित्तिक छुट्टियां दी जा सकती हैं। जिन कर्मचारियों को राजपत्रित छुट्टियां मिलती हैं, वे नैमित्तिक छुट्टियां नहीं मिलती। उन्हें 15 दिन की विशेष नैमित्तिक छुट्टियां दी जाती हैं। पूर्वोक्त सीमा रेलवे पर काम करने वाले कर्मचारियों को 5 दिन की अतिरिक्त नैमित्तिक छुट्टियां दी जाती हैं। प्रसक्त वेतन छूटी के संबंध में स्थिति यह है कि दल के कर्मचारी अपनी इम्पूटी की अवधि के 1/11 भाग के बराबर ऐसी छूटी पाने के पात्र हैं।

(घ) जी हा।

(ङ) जी हा। एक विवरण सभा पटल पर रखा गया है जिसमें प्रपेजित सूचना दी गई है। [प्रत्यासन्न में रखा गया। देखिये सख्या एल०टी०—50/77]

Fast train from Gondia to Bombay
VT

4 SHRI GEV M AVARI Will the Minister of RAILWAYS be pleased to state

(a) whether any proposals have been received to run a fast train from Gondia to Bombay VT; and

(b) whether Government are aware of the demand for running 'Vidarbha Express' on the above route in the same manner as Tamil Nadu or Andhra Pradesh Express?

THE MINISTER OF RAILWAYS
(PROF MADHU DANDAVATE)

(a) Yes

(b) Yes.

Conversion of Rupsa-Talband Line
into Broad Gauge Line

5 SHRI S. KUNDU Will the Minister of RAILWAYS be pleased to state at what stage is the proposal to convert the metre gauge Railway line of Rupsa-Talband in Orissa into broad gauge?

THE MINISTER OF RAILWAYS
(PROF MADHU DANDAVATE)
Based on the recommendations of the Uneconomic Branch Lines Committee, a Traffic Survey for conversion of Rupsa-Talband Narrow Gauge section into Broad Gauge was carried out in 1971. The estimated cost of conversion of Rupsa-Bangripasi line covering a distance of 89 kms was found to be Rs 3.79 crores and the Discounted Cash Flow (DCF) rate of return 253 per cent against the requirement of 10 per cent for making a project remunerative. A fresh assessment of the traffic potential of this line is however being made, taking into account the latest developments in the area.

Drilling at Bakultala and Bodra in
West Bengal

6 SHRI SOUGATA ROY. Will the Minister of PETROLEUM be pleased to state

(a) the results of exploratory drilling at Bakultala and Bodra in the South of West Bengal, and

(b) the progress made so far?

THE MINISTER OF PETROLEUM
AND CHEMICALS & FERTILIZERS

(SHRI H N BAHUGUNA) (a) and (b) In both, Bakultala and Bodra well, which were drilled to 3700 metres and 4200 metres respectively, no oil/gas bearing horizons of commercial significance were found. The wells were, therefore, abandoned.

Prices of Insecticides

7 SHRI P RAJAGOPAL NAIDU Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state

(a) whether Government are aware that the prices of insecticides are beyond the purchasing capacity of small farmers, and

(b) if so whether, Government propose to take steps, to reduce their prices?

THE MINISTER OF PETROLEUM AND CHEMICALS & FERTILIZERS (SHRI H N BAHUGUNA) (a) and (b) At present Government exercises no control on the prices of pesticides. However the Bureau of Industrial Costs and Prices has been requested to make a study on the cost structure of major items of pesticides manufactured in the country and on the possibilities of their cost reduction. Appropriate action as may be necessary will be taken on receipt of the report of the Bureau.

Electrification of Katwa-Calcutta Railway Line

8 SHRI DHIRENDRANATH BASU Will the Minister of RAILWAYS be pleased to state whether electrification of Railway from Katwa to Calcutta will be taken up during the financial year 1977-78?

THE MINISTER OF RAILWAYS (PROF. MADHU DANDAVATE) Calcutta/Howrah to Bandel railway line has already been electrified. There is no proposal at present to electrify the remaining section between Bandel and Katwa.

रासायनिक उर्वरकों का उत्पादन

9 श्री हुसमदेव नारायण यादव : क्या रसायन और उर्वरक मंत्री यह बताने को कृपा करेंगे कि :

(क) देश में रासायनिक उर्वरकों का उत्पादन करने वाले कारखाना के नाम क्या हैं और विभिन्न प्रकार के रासायनिक उर्वरकों के उत्पादन की कुल लागत क्या है और देश में प्रत्येक राज्य में इसे किस मूल्य पर सप्लाई किया जाता है, और

(ख) विदेशों से जितनी मात्रा में रासायनिक उर्वरकों का आयात किया जाता है और इसका आयात किस दर पर किया जाता है और देश में किस दर पर उसकी सप्लाई की जाती है ?

पेट्रोलियम तथा रसायन और उर्वरक मंत्री (श्रीहेमबती मन्दन बहुगुणा) (क) रासायनिक उर्वरक का उत्पादन करने वाले कारखानों से संबंधित धोरे सभा पटल पर रखे गए विवरण में दिए गए हैं। [प्रचालन में रखा गया। देखिए सध्या एन०डी०-51/77] देश में स्ट्रेट नाइट्रोजनयुक्त उर्वरक और स्ट्रेट कार्बोनेट्स और अम्लीय उर्वरकों का उत्पादन बड़ी मात्रा में किया जाता है। देश में निर्मित विभिन्न प्रकार के उर्वरकों की कुल उत्पादन लागत, औद्योगिक लागत और मूल्य व्यूरो के मध्यम डा० एस० एम० मराठे की अध्यक्षता में स्थापित समिति के मन्वेक्षण घीन है।

| तीन मुख्य नाइट्रोजन युक्त उर्वरक धर्मात् मूरिया, अमानियम सल्फेट और कै सयम अमोनियम नाइट्रेट के फुटकर मूल्य सार्वधिक नियंत्रण में हैं। इनके वर्तमान मूल्य निम्न प्रकार हैं :—

मूरिया	रुए प्रति मो० टन
अमानियम सल्फेट	1650
कै सियम अमोनिया नाइट्रेट	935
	1015

ये मूल्य सारे देश में समान हैं। स्टेट और कम्पलेक्स दोनो फास्फेटिक उर्वरक के मूल्य साविधिक रूप से नियंत्रित नहीं हैं। तथापि मार्च 1976 से लागू मूल्य समर्थन योजना के अनुसार सरकार मलैसम उर्वरकों के अधिकतम विक्रय मूल्य निर्धारित कर रही है। विद्यमान अधिकतम विक्रय मूल्य बताये वाला विवरण पत्र सभा पटल पर रखा गया। [प्रश्न 45 में रखा गया। देखिये सहाय एन० टी०—51/77] विभिन्न निर्याताया द्वारा निमित्त सिंगल सुपर-फास्फेट का अधिकतम विक्रय मूल्य फाटिलादर एसोसिएशन फ्रांक रीडिया द्वारा इस सूत्र (फार्मूला) जिसे सरकार ने अनुमोदन प्राप्त था के अनुसार निर्धारित दिए गए हैं।

(ख) देश के अधिकतम वाणिज्यिक हित के लिए विभिन्न स्त्रियों से आयातित किए गये रासायनिक उर्वरकों के दर का बताना उचित नहीं समझा गया है। भाग (क) के उत्तर में बताए गए नाइट्रोजनयुक्त उर्वरक प्रेशर युक्तियाँ अमानियम सल्फेट तथा कैल्शियम अमानियम के मूल्य साविधिक रूप से निर्धारित मूल्य हैं। अन्य आयातित स्ट्रेट और कम्पलेक्स उर्वरकों के मूल्य समय समय पर कृषि मन्त्रालय द्वारा निर्धारित किए जाते हैं। प्रचलित मूल्य सभा पटल पर रखे गए विवरण में दिखाए गए हैं। [प्रश्न 45 में रखा गया। देखिये सहाय एन० टी०—51/77]

राजस्थान में नई रेल लाइनें

10. श्री भीठा लाल पटेल : क्या रेल मंत्री यह बताने की कृपा करेंगे कि,

(क) पाचवी पंचवर्षीय योजना के दौरान राजस्थान में कितनी नई रेल लाइनें बिछाने का विचार है,

(ख) क्या इन तथ्यों के बावजूद राज्य में नई रेल लाइनें नहीं बिछायी जा रही हैं जबकि अनेक नई रेल लाइनों के लिए सर्वेक्षण किया जा चुका है और यदि हा, तो इसके क्या कारण हैं और किन किन रेल लाइनों के लिए सर्वेक्षण किया जा चुका है और क्या उन रेल लाइनों पर आने वाली कुल लागत महित सर्वेक्षण प्रतिवेदन की सभा पटल पर रखा जाएगा और

(ग) क्या जिन लाइनों का सर्वेक्षण हो चुका है उनमें कौनसी होकर जान वाली धोलपुर-नगापुर सिटी लाइन शामिल नहीं है और यदि हा, तो इसके क्या कारण हैं और क्या भविष्य में इस लाइन का सर्वेक्षण किया जावेगा यदि नहीं तो इसके क्या कारण हैं और यदि हा, तो कब तक ?

रेल मंत्री (प्रो० मधु इन्द्रवर्ते) (क) राजस्थान में पड़ने वाली डाकला सिंधी लाइन के निर्माण का काम पाचवी योजना के दौरान पहले ही पूरा हो चुका है। इस समय राजस्थान में न तो कोई दूसरी नयी लाइन निर्माणाधीन है और न निर्माण के लिए अनुमोदित की गयी है। चूंकि सम्पूर्ण 5वीं पंचवर्षीय योजना के दौरान नयी रेलवे लाइनों का काम हाथ में लेने संबंधी प्रस्तावों की अभी तक अंतिम रूप नहीं दिया गया है इसलिए यह कहना मुश्किल है कि 5वीं पंचवर्षीय योजना की वकालत अवधि में राजस्थान में किसी नयी रेलवे के लाइन निर्माण का काम हाथ में लिया जावेगा।

(ख) राजस्थान में निम्नलिखित नयी लाइनों के संबंध में सर्वेक्षण हाल में पूरे किये

जा चुके हैं अथवा प्रगति पर है —

साइन का नाम	सम्बार्ड (कि० मी० में)	अनुमानित लागत (करोड़ रुपया में)	वर्तमान स्थिति
1 रत्नलाम-वानवा डा (I)			सर्वेक्षण पूरे किया जा चुका है और सर्वेक्षण रिपोर्टों
माग	1-78 76	24 55	और अनुमाना का जांच
नयी बड़ी साइन (II)			की जा रहा है।
माग	11-95 13	34 26	
2 नाथनारा—पालना	190		उपलब्ध नहीं है इजीनियरी-एव यातायात
नयी मीटर साइन			सर्वेक्षण प्रगति पर है।

उपयुक्त साइनों की बनाने का काम शुरू करने के बारे में प्रतिम नियम सभी दृष्टिकोणों से सर्वेक्षण रिपोर्टों की जांच पूरी हो जाना तथा धन की उपलब्धता को ध्यान में रखा हुआ किया जायगा।

नयी साइन परियोजनाओं की सर्वेक्षण रिपोर्टें तकनीकी प्रकृति की होती हैं और वेबन विभागीय उपयोग के लिए ही होती हैं आमतौर पर ये रिपोर्टें समाप्त पटल पर नहीं रखी जाती हैं।

(ग) इस साइन के लिए कोई सर्वेक्षण नहीं किया गया है। वर्तमान कठिन वित्तीय स्थिति के कारण निवृत्त भविष्य में इस साइन के सर्वेक्षण एवं निर्माण का काम शुरू करना रेलों के लिए कठिन होगा।

सतना से बरारता रोड़ा बघोहारी तक रेल साइन

11 श्री दत्तपत सिंह परस्ते क्या रेल मंत्री यह बताने की कृपा करेंगे कि

(क) क्या मध्य प्रदेश सरकार ने मध्य रेलवे में सतना रेलवे स्टेशन से बरारता

रवा बघोहारी तक नई रेल साइन का निर्माण करने का प्रस्ताव 1972-1973 और इससे भी पूर्व प्रेषित किया था जिसमें कि यह नई साइन सिंगरोली-बटनी के रास्ते बघोहारी को जोड़ सके, और

(ख) क्या रवा नगर के महत्त्व और अत्यन्त पिछड़ा क्षेत्र के विकास को देखते हुए सरकार का विचार पाचवी पंचवर्षीय योजना में उक्त रेल साइन का निर्माण करने का है?

रेल मंत्री (प्रो० मधु दण्डवते)
(क) जो हाँ

(ख) 1973 के दौरान सतना से बघोहारी तक एक शाखा साइन के लिए किम्वद्व सर्वेक्षण से पता चला कि इस परियोजना से भ्रष्ट यातायात नहीं होगा तथा यह वित्तीय दृष्टि से सक्षम नहीं होगी और इसलिये परियोजना को छोड़ दिया गया। 1973 के दौरान किम्वद्व सर्वेक्षण के आधार पर सतना से रोड़ा तक की कम सम्बार्ड में साइन के लिए प्रयत्नवाकन किया गया है। सत्ताग्रन्थों की उपलब्धता को दृष्टिगत रखते हुए सभी दृष्टिकोणों से रिपोर्टों की जांच कर लिये जान

के बाद इस विषय में अन्तिम निर्णय लिया जायेगा।

Survey report for bringing Amraoti on Nagpur-Bombay Trunk Line

12 SHRI VASANT SATHE Will the Minister of RAILWAYS be pleased to state

(a) what is the stage of the proposal to bring Amraoti on Nagpur-Bombay Trunk line,

(b) whether the survey report on the proposal has been received and

(c) the action taken/proposed to have it expedited?

THE MINISTER OF RAILWAYS (PROF. MADHU DANDAVATE)

(a) to (c) Preliminary Engineering-cum-Traffic Survey for bringing Amraoti on the Nagpur-Bombay Main line has been included in the Budget for 1977-78. Further consideration to this project will be given after the survey is completed and the report thereon is received and examined from all angles.

पेट्रोलियम उत्पादों की मूल्य नीति पर पुनर्विचार

13. श्री नारायण कृष्ण शंकरवत्तकर : क्या पेट्रोलियम मंत्री यह बताने की कृपा करेंगे कि क्या पेट्रोलियम उत्पादों की मूल्य नीति पर पुनर्विचार करने का विचार है ?

पेट्रोलियम तथा रसायन और उर्वरक मंत्री (श्री हेमवती नन्दन बहुगुणा) सरकार ने 14 जुलाई 1975 में तेल मूल्य समिति की अन्तिम रिपोर्ट में की गयी सिफारिशों पर आधारित एक नयी मूल्य व्यवस्था लागू की। समिति ने अन्तिम रिपोर्ट प्रस्तुत कर दी है, जिसकी जाच की जा रही है।

बेरोजगार इजीनियरों के लिए सहायक उद्योगों का भारलन

14. श्री नारायण कृष्ण शंकरवत्तकर : क्या पेट्रोलियम मंत्री यह बताने की कृपा करेंगे कि

क्या केवल बेरोजगार इजीनियरों के लिए सहायक उद्योगों के भारलन का प्रस्ताव है ?

पेट्रोलियम तथा रसायन और उर्वरक मंत्री (श्री हेमवती नन्दन बहुगुणा) : इस प्रकार के कोई उद्योग नहीं हैं। भले उन्हें बेरोजगार इजीनियरों के लिए भारलन करने का प्रयत्न हो नहीं उठता।

मध्य प्रदेश में तेल शोधक कारखाने की स्थापना

15. श्री नारायण कृष्ण शंकरवत्तकर : क्या पेट्रोलियम मंत्री यह बताने की कृपा करेंगे कि क्या मध्य प्रदेश में कोई तेल शोधक कारखाना स्थापित किया जाने की सम्भावना है ?

पेट्रोलियम तथा रसायन और उर्वरक मंत्री (श्री हेमवती नन्दन बहुगुणा) : मध्य प्रदेश में शोधनशाला स्थापित करने सम्बन्धी कोई प्रस्ताव इस समय सरकार के विचारधीन नहीं है।

Restoration of Old Rail Link between Miraj and Sangli

16. SHRI ANASAHEB GOKHINDE Will the Minister of RAILWAYS be pleased to state

(a) whether there is a long standing demand to restore the old rail link between Miraj and Sangli, old railway station, on South Central Railway, that was dismantled consequent upon the broad gauge conversion and

(b) if so, the reaction of Government thereto?

THE MINISTER OF RAILWAYS
(PROF MADHU DANDAVATE)

(a) Yes

(b) While converting the Poona Miraj Metre Gauge line into broad gauge a new alignment was adopted to bring the main Sangli town on the main line and a new broad gauge station has been built for the purpose. The new location for a broad gauge station was also inescapable due to the area in and around the existing metre gauge alignment and Sangli station being heavily built up. The decision to re-align the line between Miraj and Sangli and the new location of the Sangli station were approved by the Maharashtra State Government. It is therefore not possible to accept the demand at this stage.

Conversion of Miraj Latur Line into Broad Gauge Line

17 SHRI ANNASAHAB GOTKHINDE Will the Minister of RAILWAYS be pleased to state the latest position regarding the conversion of Miraj Latur narrow gauge line on South Central Railway into Broad gauge?

THE MINISTER OF RAILWAYS
(PROF MADHU DANDAVATE)
Preliminary Engineering-cum Traffic surveys for the conversion of Miraj Kurduvadi Latur Narrow Gauge sections to Broad Gauge and construction of a new Broad Gauge line from Latur to Latur Road have been carried out. The Survey Reports have been examined and it is found that the project is very unremunerative. The availability of resources do not permit this work to be taken up now.

Improvement of Workshop at Arakonam (Southern Railway)

18 SHRI O V ALAGESAN Will the Minister of RAILWAYS be pleased to state

(a) whether any proposal for improvement and streamlining of the workshop at Arakonam on Southern Railway has been taken up, and

(b) if so the main features thereof?

THE MINISTER OF RAILWAYS
(PROF MADHU DANDAVATE)

(a) No

(b) Does not arise

Payment of Bonus to Railway Employees

19 SHRI VASANT SATHE
SHRI K RAMAMURTHY

Will the Minister of RAILWAYS be pleased to state

(a) whether the question of payment of bonus to the Railway employees is under consideration of Government and

(b) if not, whether Government propose to consider it during 1977-78?

THE MINISTER OF RAILWAYS
(PROF MADHU DANDAVATE)
(a) and (b) As far as bonus issue is concerned as stated by me in this House on 29th March 1977 this issue has been complicated by the former Government. Since that has introduced a new Bonus Policy for the country we will have to re-examine the entire issue in depth, before we take any concrete steps.

Rigging in Lok Sabha Election in West Bengal

20 SHRI JYOTIRMOY BOSU Will the Minister of LAW JUSTICE AND COMPANY AFFAIRS be pleased to state

(a) whether it has been alleged by the CPI(M) Leftist Front Janata Party and the Congress for Democracy that the Congress Party in West Bengal restored to large-scale

rigging in certain constituencies in connection with the last Lok Sabha poll and

(b) if so the facts thereof and action proposed to be taken thereon?

THE MINISTER OF LAW JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN) (a) A telegram was received by the Election Commission on 18th March 1977 from S/Shri Prafulla Chandra Sen, Jyoti Basu Bijoy Singh Nahar Mukhan Paul and Ashok Ghosh alleging massive rigging in several Parliamentary Constituencies in West Bengal in the recent general election to the Lok Sabha and demanding re poll.

(b) The Election Commission had received reports from the Returning Officers of 8 Parliamentary Constituencies in West Bengal that the poll in 30 polling stations had been vitiated by violence and accordingly as provided in section 58(2)(a) of the Representation of the People Act, 1951 the Commission declared the poll at those polling stations to be void and directed a fresh poll to be taken in five polling stations on the 19th March, 1977 and in the remaining polling stations on the 20th March, 1977.

Rigging in Barrackpore Katwa Dum Dum and other Constituencies

21 **SHRI JYOTIRMOY BOSU** Will the Minister of LAW JUSTICE AND COMPANY AFFAIRS be pleased to state

(a) whether his attention has been drawn to the news published in leading newspapers in West Bengal on rigging in Barrackpore, Katwa, Dum Dum and other constituencies resorted to by the ruling party in West Bengal in the last Lok Sabha poll and

(b) if so Government's reaction thereto?

THE MINISTER OF LAW JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN) (a) Yes Sir

(b) The Election Commission had received reports from the Returning Officers of 8 Parliamentary Constituencies in West Bengal that the poll in 30 polling stations had been vitiated by violence and accordingly as provided in section 58(2)(a) of the Representation of the People Act 1951 the Election Commission declared the poll at those polling stations to be void and directed a fresh poll to be taken in five polling stations on the 19th March, 1977 and in the remaining polling stations on the 20th March, 1977.

Provision of Funds for Tirunelveli Kanyakumari Broad Gauge Line

22 **SHRI M KALYANASUNDARAM** Will the Minister of RAILWAYS be pleased to state

(a) the broad features of proposals received from the General Manager, Construction, Bangalore for provision of funds for the construction of Tirunelveli Kanyakumari broad gauge line for the year 1976-77, and

(b) the amount sanctioned?

THE MINISTER OF RAILWAYS (PROF MADHU DANDAVATE)

(a) The Southern Railway proposed a minimum allotment of Rs. 3 crores for this project for 1976-77 for meeting the commitments made in the previous years.

(b) Rs. 2.33 crores have been finally allotted in 1976-77.

Victimisation of Employees during Emergency Period

23 **SHRI SAMAR GUHA** Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state

(a) the number of employees belonging to his Ministry who have been (i) dismissed (ii) prematurely

retired and (iii) punished by Government during the period of Internal Emergency,

(b) State-wise break-up of such figures, and

(c) whether Government propose to set up an appropriate body to re-examine the cases of such victimised Central Government employees?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H N BAHUGUNA) (a) Nil in respect of Ministry of Chemicals and Fertilizers

(b) and (c) Do not arise

Employees dismissed retired and punished during Emergency

24 SHRI SAMAR GUHA Will the Minister of PETROLEUM AND CHEMICALS & FERTILIZERS be pleased to state

(a) the number of employees belonging to his Ministry (i) dismissed (ii) prematurely retired and (iii) punished during the period of Internal Emergency,

(b) State wise break up of such figures and

(c) whether Government will set up an appropriate body to re-examine the cases of such victimised officials?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H N BAHUGUNA) (a) (i) Nil (ii) 3

(iii) Nil

(b) This Ministry has no Branch Offices at places other than Delhi. The information is, therefore nil

(c) The officials referred to in part (a) of the question have been retired under the normal rules of review for retention in service after the age of 50/55 years. As such the question of re-examining their cases does not arise

Proposal to invite Legal Opinion on Laws adopted during Emergency

25 SHRI SAMAR GUHA Will the Minister of LAW JUSTICE AND COMPANY AFFAIRS be pleased to state

(a) whether Government propose to invite the legal opinion of Supreme Court and High Court Bar Associations on the merits of the laws adopted by the Parliament during the period of Emergency, and

(b) if so the steps likely to be taken by Government?

THE MINISTER OF LAW JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN) (a) No Sir

(b) Does not arise

Fresh look on Demands of Trade Unions of Railwaymen

26 SHRI C K CHANDRAPPA
SHRI R K MHALGI

Will the Minister of RAILWAYS be pleased to state

(a) whether there is any proposal under consideration to have a fresh look on the demands made by the trade unions of the railwaymen during the all India strike in 1974 and

(b) if so the salient features thereof?

THE MINISTER OF RAILWAYS (SHRI MADHU DANDAVATE) (a) and (b) The policy of the Government is to consider all genuine demands that Recognized Federations put forward and examine them in depth in the context of the resources available

Oil Exploration in Kerala Coast

27 SHRI C K CHANDRAPPA Will the Minister of PETROLEUM be pleased to state

(a) whether the Central Government have received any proposal from

the Government of Kerala for taking up oil exploration in Kerala Coast,

(b) if so the main features of the proposal, and

(c) what decision has been taken by the Central Government thereon?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H N BAHUGUNA) (a) Yes, Sir

(b) The request of the Government of Kerala is for exploration off the Kerala coast in order to determine the oil prospects there

(c) The surveys conducted so far in the Continental Shelf off the Kerala coast have not indicated good sedimentary deposits except towards the deeper portions of the Shelf. The ONGC has plans to conduct further seismic surveys in this area

सतना से रोवा होते हुए मिर्जापुर सिंगरीली तक रेलवे लाइन का निर्माण

28. श्री धमना प्रसाद दाहोबी क्या रेल मंत्री यह बताने की कृपा करेंगे कि

(क) क्या सतना रेलवे स्टेशन से रोवा होते हुए मिर्जापुर या सिंगरीली तक रेलवे लाइन का निर्माण करने के मद्द्द में सर्वेक्षण कार्य पूरा हो चुका है, और

(ख) यदि हा, तो इस लाइन के निर्माण का कार्य अब तक प्रारम्भ किया जाने वाला है ?

रेल मंत्री (श्री० मधुसूदनवते) : (क) और (ख) रोवा के रास्ते सतना से ब्योहारी (बटनी सिंगरीली लाइन पर एक स्टेशन) तक एक शाखा लाइन जिससे ब्योहारी और रोवा का सम्पर्क सिंगरीली और मिर्जापुर से हो जाता, के लिए 1973 में एक मातायात सर्वेक्षण किया गया था। उस सर्वेक्षण रिपोर्ट के अनुसार इस लाइन से इतना यातायात

नहीं होगा जिससे आधार पर इसके निर्माण का आचिन्त्य सिद्ध हो। सके और यह लाई; बलाबकारी डोंगी। इन इस परियोजना को छोड़ देने का विनिश्चय लिया गया। लेकिन 1973 की रिपोर्ट में उपलब्ध आंकड़ा के आधार पर सतना से रोवा तक एक बम लम्बी माइन के निर्माण के लिए हाथ में ही पुनर्स्थापन लिया गया है। रिपोर्ट की स्पेकिंग आब करने के बाद और माधना की उतावधना को दृष्टिगत रखने हु। इस प्रस्ताव पर कोई निर्णय लिया जाएगा।

Drilling of Oil in Cauvery Basin

SHRI K. GOPAL Will the Minister of PETROLEUM be pleased to state

(a) whether drilling of oil is going on in Cauvery Basin, and

(b) if so, the results achieved so far?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H N BAHUGUNA) (a) and (b) No drilling is being conducted at present. The wells drilled earlier onshore did not indicate presence of oil or gas in commercial quantities. Drilling in the offshore areas of Cauvery Basin is expected to be taken up shortly.

मध्य प्रदेश में नई रेल लाइनें

30 श्री सश्रीनारायण नायक : श्री छवि राम धरगत :

क्या रेल मंत्री यह बताने की कृपा करेंगे कि

(क) नई रेल ला ने बिछाने के लिए मध्य प्रदेश से सरकार को प्राप्त हुए प्रस्तावों की क्या सूची है, और

(ख) उन पर क्या कार्यवाही की जा रही है ?

रेल मंत्री (श्री० मधु दण्डपते) - (५)

और (६) एक विवरण सभा पत्र पर रखा जाता है। [प्रश्नमाला में रखा गया बखिरे सख्या एन टी 52 77]

आयातित उर्वरकों की रासायनिक जांच

31 श्री मनाब सिंह चौहान क्या रासायन और उर्वरक मंत्री यह बताने की कृपा करेंगे कि

(क) क्या सरकार आयातित उर्वरकों की रासायनिक जांच करती है और

(ख) यदि हाँ, तो गत दो वर्षों में कितने मामलों में आयातित उर्वरकों को निर्धारित मानक से निम्न स्तर का पाया गया और दोषी फर्मों के विरुद्ध क्या कार्यवाही की गई है ?

पट्टोसिमम तथा रासायन और उर्वरक मंत्री (श्री हेमवतीनन्दन बहुगुणा) (क) जा हा। आयातित उर्वरक के सभी लदे हुए जहाजों का निरीक्षण लगभग बदरगाहा पर निरन्तर किया जाता है। निरीक्षण के दौरान नमूने लिए जाते हैं और उनका विश्लेषण किया जाता है। विश्लेषण की रिपोर्ट कृषि तथा सिंचाई मन्त्रालय को भेजी जाती है।

(ख) गत दो वर्षों के दौरान लगभग 334 सदानों में से 15 जहाजों जो 6 सप्ताहियों के थे का माल डेको की विशिष्टता के अनुरूप नहीं पाया गया था। 12 लदे हुए जहाजों के चार सप्ताहियों से 3,73,750 यू० एस० डालरों का जुर्माना वसूल किया गया है। शेष लदे हुए तीन जहाजों से संबंधित दो मामलों को अन्तिम रूप दिया जाना है।

Abrogation of the Constitution (42nd Amendment) Act

12 SHRI BASHIR AHMAD
SHRI HUKMDEO NARAIN
YADAV

Will the Minister of LAW JUSTICE AND COMPANY AFFAIRS be pleased to state

(a) what steps Government propose to take to make ineffective or abrogate the Constitution (42 nd Amendment) Act and restore the fundamental rights guaranteed to the citizens under the Constitution and to restore the Independence of Judiciary, and

(b) whether Government propose to appoint a Committee to review the appointment of committee Judges?

THE MINISTER OF LAW JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN) (a) Government will place before Parliament a comprehensive Bill to amend appropriately the Constitution of India

(b) No Sir

नारायणपुर रेलवे स्टेशन और रेलवे लाइन को गंगा के कटाव से बचाना

33 श्री ज्ञानेश्वर प्रसाद यादव क्या रेल मंत्री यह बताने की कृपा करेंगे कि

(क) क्या पूर्वोक्त रेलवे के नारायणपुर रेलवे स्टेशन एवं रेल लाइन को गंगा के कटाव से बचाने की कोई योजना सरकार ने मंजूर की है, और

(ख) यदि हाँ तो तत्सम्बन्धी मुख्य बातें क्या हैं ?

रेल मंत्री (प्रो० मधुबहादुर) : (क) पिछले वर्ष की बाढ़ों के दौरान, नारायणपुर रेलवे स्टेशन (पूर्वोत्तर रेलवे) के निकट गया नदी का परिवर्तन तट घुरी तरह बट गया और नदी की बोर लगभग 287 मीटर भीतर पुसबर रेलवे साइन तक पहुंच गयी। यदि इससे रेल-गमन व सड़का का गम्भीर खतरा पैदा हो गया था, या बिहार राज्य सरकार से यह अनुरोध किया गया था कि घोर घाटे बटाव की रोक-थाम के लिए पर्याप्त सुरक्षा व्यवस्था करे और नदी के द्वारा घोर घाटे विप्लव से रेलवे साइन को बचावे। राज्य सरकार ने इसने लिए लगभग 365 लाख रुपये की एक योजना बनायी है और तत्पश्चात् दृष्टि से उम्मीदी स्वीकृति के लिए उसे गया बाढ़ नियंत्रण निगम को भेजा गया है। शिवाजी प्रतीक्षा की जा रही है। रेल मंत्रालय ने इस बात के लिए अपनी सहमति पहले ही दे दी है कि वह अन्य तीन प्रभावित जिलों, अर्थात् बिहार राज्य सरकार, परिवहन मंत्रालय (राष्ट्रीय राज-मार्ग) तथा भारतीय तेल निगम (तल वाइल साइन), के साथ मिलकर बराबर-बराबर खर्च वहन करने को तैयार है। इस योजना का सभी राज्य सरकार की स्वीकृति मिलना बाकी है। विपत्ति की गम्भीरता को देखते हुए राज्य सरकार से अनुरोध किया गया है कि वह इस काम का शीघ्र शुरु करावे और आगामी मानसून से पहले इसे पूरा कर दे।

(ख) राज्य सरकार द्वारा बनायी गयी प्रारम्भिक योजना में नदी के किनारे-किनारे 13,200 फुट दूरी में पनतर करना और अवतरण मंच बनाना तथा 13 नव जोड़-बन्ध बनाना शामिल है। तथापि, इस योजना की गया बाढ़ नियंत्रण आयोग के परामर्श से अभी अंतिम रूप दिया जाना है।

Transfer of High Court Judges

34 SHRI BAPUSAHEB PARULEKAR Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state

(a) whether Government propose to reconsider the question of transfer of High Court Judges who were transferred during the period of Internal Emergency, and

(b) if so broad features thereof

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN) (a) and (b) The matter is under review and the Government will take a decision shortly

भातू उर्वरक कारखाने और उतका उत्पादन

35. श्री नारायण हृषण शेरवतकर : क्या रत्नावन और उर्वरक मंत्री यह बताने की इच्छा करेंगे कि

(क) इस समय भारत में विभिन्न उर्वरक कारखाने चले रहे हैं उनके मालिकों के नाम क्या हैं, उनको उत्पादन क्षमता कितनी है तथा वन तीन वर्षों के 1975-76 प्रत्येक में कितना कितना उत्पादन हुआ है, और

(ख) क्या देश में वर्तमान मांग और आवश्यकता पूरी करने के लिए उतका उत्पादन पर्याप्त है, और

(ग) यदि नहीं, तो यह कमी पूरी करने की क्या योजनाएं हैं ?

पेंडोलिथम तथा रत्नावन और उर्वरक मंत्री (श्री हेमचन्द्रनन्दन बहुगुणा) (क) एक विवरण पत्र सभा पटल पर प्रस्तुत है। [प्रकाशन में रखा गया।] इसलिए नकल एम टी 5377]

(ख) और (ग). देश में उर्वरक की मांग को पूरा करने के लिए देशीय उत्पादन अपर्याप्त होने पर कमी को पूरा करने के लिए आयात की व्यवस्था की जायेगी।

Damage to Coconut cultivation due to pollution

36 DR HENRY AUSTIN Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state

(a) whether Government are aware of the wide-spread damage to Coconut cultivation in Vypeen Islands in general and Kadamakudi Panchayat in particular consequent on the pollution by poisonous smoke coming of the Fertilizer and Chemicals Ltd in Udyog Mandal Ernakulam Dist Kerala and the destruction to the marine and back water wealth arising from uncontrolled letting out of poisonous waste materials into the Periyar river, and

(b) if so, steps taken by Government to deal with these serious ecological problems?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H N BAHUGUNA) (a) and (b) According to available information no complaints have been received from Vypeen Islands in general and Kadamakudi Panchayat in particular about damage to coconut plantation as a result of any fumes from the Udyogamandal unit of FACT. No representations have been received from any of the local bodies or institutions regarding damage to marine or backwater wealth due to letting out of the effluents into the Periyar river. In the past there were some individual representations regarding decay in marine life due to effluents. There were also some oral representations by the local Panchayat before the Estimate Committee of the Kerala legislature in general about the atmospheric and water pollution from the chemical factories in the Udyogamandal area.

The company is presently discharging effluents into the river, with the approval of the Kerala State Board for Prevention and Control of Water Pollution, after neutralising the pollutants. The company has also

prepared a long-term scheme for the prevention of water pollution on a permanent basis. The scheme which is estimated to cost about Rs. 125 lakhs is under the consideration of the Kerala State Board for Prevention and Control of Water Pollution.

पूर्वोत्तर सीमान्त रेलवे पर कंहुनिया में नया स्टेशन बनाने का प्रस्ताव

37. श्री युवराज : क्या रेल मंत्री यह बताने की कृपा करेंगे कि

(क) क्या पूर्वोत्तर सीमान्त रेलवे पर कटिहार मालदह सेक्शन पर कंहुनिया मानक स्थान पर एक नया स्टेशन बनाने का विचार है, और

(ख) यदि हा, तो यह नया स्टेशन कब तक बन जायेगा ?

रेल मंत्री (श्री० मधु षण्डयते) : (क) जी हा ।

(ख) भाषा है कि यह स्टेशन इस वर्ष की समाप्ति तक खुल जायेगा ।

बरोनी से कटिहार तक बड़ी रेल लाइन

38. श्री युवराज : क्या रेल मंत्री यह बताने की कृपा करेंगे कि ,

(क) क्या बरोनी से कटिहार तक बड़ी रेल लाइन न होने से दिल्ली का गौहाटी भ्रमण नागार्जुन घाटि से सीधा सम्पर्क नहीं है ,

(ख) क्या दिल्ली-आसाम मेल ने यात्रियों को अपनी यात्रा के दौरान बरोनी में बड़ी रेल लाइन की गाड़ियों से मीटर गेज की गाड़ियां से आना जाना पड़ता है ; और

(ग) यदि हा, तो कटिहार के रास्ते से सम्पूर्ण पूर्वोत्तर भारत से सीधा सम्पर्क

कोशने के लिए बरौनी से बटिहार के बीच तर बड़ी साइत बिठापी जायेगी ?

रेल मंत्री (प्रो० मधु दण्डवते) : (क) दिल्ली और पूर्वोत्तर क्षेत्र में नू बोगाईगांव के बीच बरौनी के रास्ते बड़ी साइत मधुबनी पहुँचने से ही मौजूद है। यदि बरौनी-बटिहार साइत का बड़े धामान में बदल दिया जाये, तो दूरी कम हो जायेगी।

(घ) जा हाँ।

(ग) बरौनी-बटिहार छगड को मीटर धामान में बड़े धामान में बदलने के लिए प्रारम्भिक इञ्जीनियरी-एव यातायात सर्वेक्षण कर लिये गये हैं। धामान परिवर्तन की इस योजना का काम शुरू करने में अगले वर्ष दिवार तकनी किया जायेगा जब बाराबंकी-नामस्तीपुर और बागाईगांव गुवाहाटी छगड का धामान परिवर्तन का काम, जो स्वीडि प्रान्त योजनाएँ हैं, काफी आगे बढ़ जायेगा।

Rail connection between Salem and Trichy

39 SHRI P KANYAN Will the Minister of RAILWAYS be pleased to state

(a) whether there is any proposal to connect Salem with Trichy by rail, and

(b) if so when will it start working?

THE MINISTER OF RAILWAYS (PROF MADHU DANDAVATE)

(a) and (b) These places are already connected by rail via Erode and Karur. There is, however, no proposal to provide a new direct link.

Conversion of metre gauge lines into broad gauge in Vidarbha Region

40 SHRI GEV M AVARI Will the Minister of RAILWAYS be pleased to state the programme of conversion of metre gauge railway line into broad gauge fullway line in the Vidarbha

area of the Maharashtra State during the current Five Year Plan or in the next Plan?

THE MINISTER OF RAILWAYS (PROF MADHU DANDAVATE) It is presumed that the reference is to Khandwa-Purna metre gauge railway line. Construction of a portion of this line from Khandwa to Hingoli passing through Vidarbha region was completed in 1961. There is no programme for gauge conversion of this line at present.

proposal to run fast trains on metre gauge lines in Vidharbha Region

41 SHRI GEV M AVARI Will the Minister of RAILWAYS be pleased to state whether Government are considering any proposal to run fast trains on metre-gauge line in Vidharbha area of Maharashtra State?

THE MINISTER OF RAILWAYS (PROF MADHU DANDAVATE) Yes.

Proposals for double lines and halt stations in West Bengal

42 SHRI SOUGATA ROY Will the Minister of RAILWAYS be pleased to state

(a) the number of proposals for (i) double lines (ii) halt stations under consideration by Government in West Bengal for the last one year; and

(b) which ones have been sanctioned?

THE MINISTER OF RAILWAYS (PROF MADHU DANDAVATE) (a) (i) 2

(ii) 18.

(b) Of the above the following five halt stations on the Eastern Railway have been sanctioned —

1 Harish Nagar—between Banpur and Gede

2 Satheria—between Bongaon and Gopal Nagar

3 Madartalla—between Sonarpur Junction and Kalikapur

4 Bhapla—between Champapukur and Bashirhat.

5 Lake Garden—between Ballygunj and Kaligbat.

Production of molasses

43 SHRI P RAJAGOPAL NAIDU Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state

(a) whether rates of molasses produced by the sugar factories are controlled and

(b) if so price of molasses fixed in different States?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H N BAHUGUNA) (a) Yes Sir The Central Government exercises control on the prices of molasses under the Central Molasses Control Order 1961 as amended from time to time. This Order is applicable to all the States other than U.P. Punjab Haryana Bihar Maharashtra and West Bengal which have fixed the prices of molasses under their own Molasses Control Acts.

(b) The current price of Grade I sugar factory molasses in all the States except Punjab Haryana and West Bengal is fixed at Rs 6 per 100 kilograms

The prices in the States of Punjab Haryana and West Bengal are as follows —

Punjab	(Price Rs per 100 kilograms)		West Bengal
	Haryana	For	
	For	Industries	
1.00	3.00	6.00	2.68

Double railway line between Bongaon and Calcutta

44 SHRI DHIRENDRANATH BASU Will the Minister of RAILWAYS be pleased to state whether the work on double line between Bongaon and Calcutta will be taken up during the financial year 1977-78?

THE MINISTER OF RAILWAYS (PROF MADHU DANDAVATE) The resources position does not allow this work to be taken up in 1977-78.

New railway lines sanctioned for Andhra Pradesh

45 SHRI P RAJAGOPAL NAIDU Will the Minister of RAILWAYS be pleased to state

(a) the new railway lines recommended by the Government of Andhra Pradesh to be taken up by the Central Government

(b) the lines sanctioned out of them this year and

(c) when the sanctioned lines will be taken up?

THE MINISTER OF RAILWAYS (PROF MADHU DANDAVATE) (a) The following Railway lines have been proposed by the Andhra Pradesh State Government —

(a) Nadi kude B b nagar Broad Gauge line—150 kms

(b) Ramagundam — Nizamabad Broad Gauge line—160 kms

(b) Construction of Nadi kude-B b nagar new line is an approved work. Survey for the line from Ramagundam to Nizamabad has also been approved.

(c) Construction of the B b nagar Nalgonda section (74 kms) of Nadi kude-B b nagar line has been taken up in the first phase. Survey for Ramagundam Nizamabad line is in hand and its construction will be considered after completion of the survey.

Exploration for petroleum and gas resources in Godavari Basin

46 SHRI P RAJAGOPAL NAIDU
Will the Minister of PETROLEUM be pleased to state

(a) whether exploration for petroleum resources and natural gas is being done in Godavari basin or on the East Coast in Andhra Pradesh, and

(b) if so the result thereof?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H N BAHUGUNA) (a) and (b) As a result of seismic surveys conducted during the previous two field seasons a location near Narsapur has been released for drilling. Preparatory work has been taken in hand to start drilling at this site

Production of Synthetic Rubber

47 SHRI P RAJAGOPAL NAIDU
Will the Minister of PETROLEUM be pleased to state

(a) whether synthetic rubber is produced in our country and

(b) if so the quantity produced during 1976-77?

THE MINISTER FOR PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H N BAHUGUNA) (a) Yes Sir

(b) The production of Synthetic Rubber (SBR) during the year 1976-77 was 22 934 tons

विडला परिवार द्वारा नियंत्रित कम्पनियाँ

48. श्री हनुमदेव नारायण यादव . क्या विधि, न्याय और कम्पनी कार्य मन्त्री यह बताने की कृपा करेंगे कि विडला परिवार द्वारा नियंत्रित कम्पनियों में 1947-48 और 1975-76 के वित्तीय वर्षों में कितनी पूँजी लगी हुई थी ?

विधि, न्याय और कम्पनी कार्य मन्त्री (श्री शांति भूषण) : सरकार ने पाँच उन कम्पनियों के नामों में विषय में जाँच वर्ष 1947-48 की अवधि में विडला परिवार के नियंत्रणाधीन रही, कहा जा रहा है कि सच में कोई सूचना उपलब्ध नहीं है। विडला परिवार के बड़े औद्योगिक घराने से संबंधित कम्पनियों की नवीनतम प्रमाणिक सूची वर्ष 1969 में औद्योगिक लाइसेंसिंग नीति जांच समिति की रिपोर्ट में प्रकाशित की गई थी। पूर्वोक्त सूची में बाद में बहुत से परिवर्तन हुए हैं और हाल ही के वर्षों के कुछ और अधिक कम्पनियाँ भी गई हैं जिनको प्रत्यक्ष या अप्रत्यक्ष रूप से विडला परिवार को सम्प्राप्त जाता है। इन कम्पनियों की मूर्त परिसम्पत्तियों का मूल्य के संबंध में वर्ष 1974 की सूचना तुरन्त उपलब्ध है जो सगई गई पूँजी को प्रतिबिम्बित करती नहीं जा सकती है। इन मामलों की प्रदर्शित करता हुआ विवरण पत्र सभा पटल पर रखा है।

[प्रश्नालय में रखा गया देखिए सभा एल टी 54 / 77]

पाचवी पंचवर्षीय योजना के दौरान राजस्थान में बनाए जाने वाले ऊपरी-गुल

49 श्री मोठा लाल पटेल क्या रेल मंत्री यह बताएँ की कृपा करेंगे कि

(क) पाचवी पंचवर्षीय योजना के दौरान राजस्थान में कितने रेल सड़क ऊपरी गुल बनाने का विचार है और कहाँ कहाँ पर

(ख) क्या पश्चिम रेलवे के कोटा डिवीजन में सिटी और ग्वागुर सिटी के रेलवे फाटका पर एक रेल ऊपरी-गुल बनाने की आवश्यकता है; और

(ग) यदि हाँ, तो यह ऊपरी-गुल कब तक बन जाएगा।

रेल मंत्री (प्रो० मधु बण्डवते) ।

(क) चार थे हैं -

(i) पश्चिम रेलवे पर सवाई माधोपुर में, समपार सख्या 151 के बदले में,

(ii) पश्चिम रेलवे पर जयपुर व समीप समपार सख्या 217 के बदले में,

(उपरोक्त इन दो का निर्माण कार्य हाल ही में पूरा हुआ है।

(iii) पश्चिम रेलवे पर मोलवाड़ा में, समपार सख्या 67 के बदले में, और

(iv) उत्तर रेलवे पर राय का बाग (जोधपुर) में।

(घ) रेल और सड़क यातायात व वर्तमान घनत्व का विचार करते हुए पश्चिम रेलवे के कोटा मंडल में हिंडोन और गंगापुर सिटी में वर्तमान समपारों के बदले ऊपरी / निचले सड़क पुलों की व्यवस्था करना आवश्यक नहीं समझा गया है और न ही राज्य सरकार भयंकर स्थानीय प्राधिकरण द्वारा इन्हें प्रयोजित किया गया है।

(ग) प्रश्न नहीं उठता।

दिल्ली और जबलपुर के बीच सीधी रेलगाड़ी चलाने का प्रस्ताव

50 श्री निमल चंद्र जैन क्या रेल मंत्री यह बताने की कृपा करेंगे कि

(क) क्या दिल्ली और जबलपुर के बीच एक सीधी रेलगाड़ी चलाने का कोई प्रस्ताव सरकार के विचाराधीन है और

(घ) यदि हां, तो इस प्रस्ताव को कब तक कार्य रूप दे दिया जाएगा?

रेल मंत्री (प्रो० मधु बण्डवते) :

(क) जी नहीं।

(घ) प्रश्न नहीं उठता।

203 hrs.

PAPERS LAID ON THE TABLE

श्री उपसेन (देवगिरा) : उपध्यक्ष महोदय मेरा व्यवस्था का प्रश्न है। मंत्री लोग जो पेपर्स और विधायक यहां रखते हैं वह हमें नहीं मिल पाते। जो पेंकेट भाप के सविधानम से भेजे जाते हैं वे भी हमें नहीं मिल पाते जिससे हम लोग उनसे कुछ नहीं पाते तो क्या भाप एसी व्यवस्था करेंगे जिससे वे हमें मिल सकें?

MR. DEPUTY-SPEAKER The papers that are being laid on the Table cannot be given in advance. Most of them are Notifications and these Notifications are placed in the Library. They are not sent to all the Members. If you want you can refer to them in the Library.

NOTIFICATIONS UNDER BURMAH SHELL (ACQUISITION OF UNDERTAKINGS IN INDIA) ACT ESSENTIAL COMMODITIES ACT OIL AND NATURAL GAS COMMISSION ACT ETC.

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA) I beg to lay on the Table—

(1) A copy of the Burmah Shell (Acquisition of Undertakings in India) (Administration of Fund) Rules 1976 (Hindi and English versions) published in Notification No. GSR 945 (E) in Gazette of India dated the 24th December 1976 under sub-section (2) of section 20 of the Burmah Shell (Acquisition of Under

takings in India) Act, 1976 [Placed in Library See No LT-55/77]

(2) A copy of Notification No GSR 94 (E) (Hindi and English versions) published in Gazette of India dated the 28th February, 1977 under sub-section (6) of section 3 of the Essential Commodities Act, 1955 [Placed in Library See No LT 56/77]

(3) A copy of the Oil and Natural Gas Commission (Amendment) Rules 1976 (Hindi and English versions) published in Notification No GSR 46 in Gazette of India dated the 8th January, 1977—under sub-section (3) of section 31 of the Oil and Natural Gas Commission Act 1959 [Placed in Library See No LT-57/77]

(4) A copy each of the following papers under sub-section (1) of section 619A of the Companies Act, 1956 —

(i) Review (Hindi and English versions) by the Government on the working of the Indian Oil Corporation Limited Bombay, for the year 1975-76

(ii) Annual Report (Hindi and English versions) of the Indian Oil Corporation Limited, Bombay, for the year 1975-76 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon.

[Placed in Library See No LT-58/77]

(5) (i) Review (Hindi and English versions) by the Government on the working of the Madras Refineries Limited, Manali, Madras, for the year ending 30th June, 1976

(ii) Annual Report (Hindi and English versions) of the Madras Refineries Limited, Manali Madras, for the year ending the 30th June 1976 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon [Placed in Library See No LT-59/77]

(6) (i) Review (Hindi and English versions) by the Government on the working of the Engineers India Limited, New Delhi, for the year 1975-76

(ii) Annual Report (Hindi and English versions) of the Engineers India Limited, New Delhi, for the year 1975-76 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon. [Placed in Library See No LT-60/77]

(7) (i) Review (Hindi version) by the Government on the working of the Hindustan Petroleum Corporation Limited, Bombay, for the year 1975.

(ii) Annual Report (Hindi version) of the Hindustan Petroleum Corporation Limited Bombay, for the year 1975 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon.

(8) A statement showing reasons for delay in laying the papers mentioned at Item No (7) above [Placed in Library See No LT 61/77]

(9) (i) A copy of the Annual Report together with the Audited Accounts (Hindi and English versions) of the Oil Industry Development Board, New Delhi, for the year 1975-76, under sub-section (4) of section 20 of the Oil Industry Development Act, 1974 read with rule 29(2) (e) of the Oil Industry Development Rules, 1975 ;

(ii) A copy of the Review (Hindi and English versions) by the Government on the above Report ;

[Placed in Library See No LT-63/77].

MADRAS CITY MUNICIPAL CORPORATION
(SECOND AMENDMENT) ACT, NOTIFICATION
UNDER TAMIL NADU DISTRICT
MUNICIPALITIES ACT, ETC.

THE MINISTER OF WORKS AND
HOUSING AND SUPPLY AND RE-
HABILITATION (SHRI SIKANDER
BAKHT) I beg to lay on the Table —

(1) A copy of the Madras City
Municipal Corporation (Second
Amendment) Act, 1976 (President's
Act No. 42 of 1976) (Hindi and
English versions) published in
Gazette of India dated the 29th
November, 1976 under sub-section
(3) of section 3 of the Tamil Nadu
State Legislature (Delegation of
Powers) Act, 1976 [Placed in
Library See No. LT-64/77]

(2) A copy each of the following
Notifications under section 304 of the
Tamil Nadu District Municipalities
Act, 1920 read with clause (c) (iv)
of the Proclamation dated the 31st
January, 1976 issued by the Presi-
dent in relation to the State of Tamil
Nadu —

(i) G.O. Ms. No. 1117 published in
Tamil Nadu Government Gazette
dated the 30th June, 1976

(ii) G.O. Ms. No. 1731 published in
Tamil Nadu Government Gazette
dated the 15th September 1976

(iii) G.O. Ms. No. 2194 published
in Tamil Nadu Government Gazette
dated the 17th November, 1976

(3) Three statements (Hindi and
English versions) explaining reasons
for not laying the Hindi versions of
the notifications mentioned at (2)
above

(4) A copy each of the following
Notifications under section 432 of the
Madurai City Municipal Corporation
Act, 1971 read with clause (c) (iv)
of the Proclamation dated the 31st
January, 1976 issued by the President
in relation to the State of Tamil
Nadu —

(i) The Rules for Election of
Mayor and Deputy Mayor of the
Corporation of Madurai, published in

Notification No. G.O. Ms. 379 in
Tamil Nadu Government Gazette
dated the 24th March, 1976

(ii) The Rules relating to the ad-
judication of disputes on elections of
Councillors Mayor or Deputy Mayor
of Madurai City Municipal Corpora-
tion published in Notification No.
G.O. Ms. 1730 in Tamil Nadu Gov-
ernment Gazette dated the 15th Sep-
tember, 1976

(5) Two statements (Hindi and
English versions) explaining reasons
for not laying the Hindi version of
notifications mentioned at (4) above

[Placed in Library See No. LT
65/77]

NOTIFICATIONS UNDER COMPANIES ACT,
MONOPOLIES AND RESTRICTIVE TRADE
PRACTICES ACT, DISPUTED ELECTIONS
(PRIME MINISTER AND SPEAKER)
ORDINANCE, ETC.

THE MINISTER OF LAW, JUSTICE
AND COMPANY AFFAIRS (SHRI
SHANTI BHUSHAN) I beg to lay
on the Table —

(1) A copy each of the following
Notifications (Hindi and English ver-
sions) under sub-section (3) of sec-
tion 642 of the Companies Act,
1956 —

(i) The Trustees (Declaration
of Holdings of Shares and
Debentures) (Amendment)
Rules 1976 published in
Notification No. G.S.R. 37
Gazette of India dated the
1st January, 1977

(ii) The Companies (Secretary's
Qualifications) Amendment
Rules, 1977 published in
Notification No. G.S.R. 185
in Gazette of India dated
the 5th February, 1977

[Placed in Library See No. LT-
66/77]

(2) A copy each of the following
Notifications (Hindi and Eng-
lish versions) under sub-sec-

tion 3 of section 67 of the Monopolies and Restrictive Trade Practices Act, 1969 —

- (1) The Monopolies and Restrictive Trade Practices Commission (Recruitment and Conditions of Service of Registrar, Joint Registrar, Deputy Registrar and Assistant Registrar of Restrictive Trade Agreements) Rules 1976, published in Notification No G.S.R. 1615 in Gazette of India dated the 20th November, 1976
- (ii) The Monopolies and Restrictive Trade Practices Commission (Recruitment of Members of Staff) Amendment Rules, 1977 published in Notification No. G.S.R. 95(E) in Gazette of India dated the 28th February, 1977 [Placed in Library See No LT-67/77] LT-63/77]
- (3) A copy of the Disputed Elections (Prime Minister and Speaker) Rules, 1977 (Hindi and English versions) published in Notification No SO 246(E) in Gazette of India dated the 9th March, 1977 under sub-section (3) of section 33 of the Disputed Elections (Prime Minister and Speaker) Ordinance, 1977 [Placed in Library See No LT-63/77]
- (4) A copy of Notification No GO Ms 2223 published in Tamil Nadu Government Gazette dated the 8th December, 1976 under sub-section (3) of section 8 of the Hindu Marriage Act 1955 read with clause (c) (iv) of the Proclamation dated the 31st January, 1976 issued by the President in relation to the State of Tamil Nadu

- (5) A statement (Hindi and English versions) explaining reasons for not laying the Hindi versions of the above Notification [Placed in Library See No. LT-69/77].
- (6) A copy of the Delimitation of Council Constituencies (Uttar Pradesh) Amendment Order, 1976 (Hindi and English versions) published in Notification No G.S.R. 875(E) in Gazette of India dated the 11th November, 1976, under sub-section (3) of section 13 of the Representation of People Act, 1950 [Placed in Library See No LT-70/77]
- (7) A copy each of the following Notifications (Hindi and English versions) under sub-section (3) of section 169 of the Representation of the People Act, 1951 —
 - (i) The Conduct of Elections (Second Amendment) Rules, 1976 published in Notification No SO 795(E) in Gazette of India dated the 14th December, 1976
 - (ii) The Conduct of Parliamentary Elections (Sikkim) Rules, 1977 published in Notification No S.O. 45(E) in Gazette of India dated the 25th January, 1977 [Placed in Library See No LT-71/77]
- (8) A copy of the Registration of Elections (Amendment) Rules, 1977 published in Notification No SO 35(E) in Gazette of India dated the 21st January, 1977, under sub-section (3) of section 23 of the Representation of the People Act 1950 [Placed in Library See No LT-72/77]

(9) A copy of the Kerala Small Industries and Development Promotion Corporation Amalgamation Order, 1977, published in Notification No SO 241(E) in Gazette of India dated the 18th March 1977, under sub-section (5) of section 396 of the Companies Act, 1956

(10) A statement explaining reasons for not laying simultaneously the Hindi version of the above Notification [Placed in Library See No LT-73/77]

(11) A copy each of the following papers under section 62 of the Monopolies and Restrictive Trade Practices Act, 1969 —

(i) Report (Hindi version) pertaining to the execution of the provisions of the Monopolies and Restrictive Trade Practices Act, 1969 for the period from 1st January to 31st December, 1974

(ii) Report pertaining to the execution of the provisions of the Monopolies and Restrictive Trade Practices Act 1969, for the period from 1st January to 31st December, 1975

(12) A statement (Hindi and English versions) explaining the reasons for not laying simultaneously the Hindi version of the Report mentioned at item No 11 (ii) above [Placed in Library See No LT 74/77]

(13) A copy of the Delimitation of Parliamentary and Assembly Constituencies Order, 1976 and (English versions) under sub-section (2) of section 8

of the Representation of the People Act, 1950 [Placed in Library See No LT-75/77]

NOTIFICATIONS UNDER INDIAN RAILWAYS ACT, ETC

THE MINISTER OF RAILWAYS
(PROF MADHU DANDAVATE). I
beg to lay on the Table —

(1) A copy each of the following Notifications (Hindi and English versions) issued under section 47 of the Indian Railways Act, 1890 —

(i) The Railway Red Tariff (Ninth Amendment) Rules 1976 published in Notification No GSR 1646 in Gazette of India dated the 20th November 1976

(ii) The Railways Red Tariff (Tenth Amendment) Rules 1976, published in Notification No GSR 1641 in Gazette of India dated the 20th November, 1976

(iii) The Railways Red Tariff (Eleventh Amendment) Rules, 1976 published in Notification No 3735 in Gazette of India dated the 11th December, 1976

(iv) The Open Lines (Railways in India) General (Amendment) Rules, 1976 published in Notification No GSR No 112 in Gazette of India dated the 22nd January, 1977

(v) The Railway Passengers (Cancellation of Tickets and Refund of Fares) Rules 1976 published in Notification No SO 346 in Gazette of India dated the 22nd January 1977 [Placed in Library See No LT 76/77]

(2) A copy of Notification No SO 264 (Hindi and English versions) published in Gazette of India dated the 21st January, 1977, issued under sub-section (2) of section 568 of the Indian Railways Act, 1890 [Placed in Library See No LT-77/77]

(3) A copy of the Railway Rates Tribunal (Amendment) Rules, 1977 (Hindi and English versions) published in Notification No G.S.R. 272 in Gazette of India dated the 26th February, 1977 issued under sub-section (1) of section 44 of the Indian Railways Act, 1890 [Placed in Library See No LT 73/77]

(4) A copy of the Report (Hindi and English versions) on the progress made in the intake of Scheduled Castes and Scheduled Tribes against vacancies reserved for them in recruitment and promotion categories on the Railways for the half-year ending the 31st March 1976 [Placed in Library See No LT-79/77]

PAPERS UNDER COMPANIES ACT ETC.

THE MINISTER OF STEEL AND MINES (SHRI Biju Patnaik) I beg to lay on the Table a copy each of the following papers under sub-section (1) of section 619A of the Companies Act, 1956

(1) (i) Review (Hindi and English versions) by the Government on the working of the Bharat Aluminium Company Limited, New Delhi for the year 1975-76.

(ii) Annual Report (Hindi and English versions) of the Bharat Aluminium Company Limited New Delhi, for the

year 1975-76 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon. [Placed in Library See No LT-80/77]

(2) (i) Review (Hindi and English versions) by the Government on the working of the Bharat Gold Mines Limited, for the year 1975-76

(ii) Annual Report (Hindi and English versions) of the Bharat Gold Mines Limited for the year 1975-76 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon [Placed in Library See No LT-81/77]

(3) (i) Review (Hindi and English versions) by the Government on the working of the Hindustan Zinc Limited, Udaipur (Rajasthan) for the year 1975-76

(ii) Annual Report (Hindi and English versions) of the Hindustan Zinc Limited, Udaipur (Rajasthan) for the year 1975-76 along with the Audited Account and the comments of the Comptroller and Auditor General thereon [Placed in Library See No LT 82/77]

(4) (i) Review (Hindi and English versions) by the Government on the working of the Hindustan Copper Limited, Calcutta, for the year 1975-76

(ii) Annual Report (Hindi and English versions) of the Hindustan Copper Limited, Calcutta for the year 1975-76 along with the Audited

Accounts and the comments of the Comptroller and Auditor General thereon [Placed in Library See No LT-83/77]

- (5) (i) Review (Hindi and English versions) by the Government on the working of the Mineral Exploration Corporation Limited, Nagpur, for the year 1973-74

- (ii) Annual Report (Hindi and English versions) of the Mineral Exploration Corporation Limited, Nagpur, for the year 1973-74 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon

- (6) (i) Review (Hindi and English versions) by the Government on the working of the Mineral Exploration Corporation Limited, Nagpur, for the year 1974-75

- (ii) Annual Report (Hindi and English versions) of the Mineral Exploration Corporation Limited, Nagpur, for the year 1974-75 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon

- (7) (i) Review by the Government on the working of Mineral Exploration Corporation Limited, Nagpur, for the year 1975-76

- (ii) Annual Report of the Mineral Exploration Corporation Limited Nagpur, for the year 1975-76 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon. [Placed in Library See No LT-85/77]

- (8) (i) Review (Hindi and English versions) by the Government on the working of the Steel Authority of India Limited New Delhi for the year 1975-76

- (ii) Annual Report of the Steel Authority of India Limited New Delhi for the year 1975-76 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon

- (9) A statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at item Nos (5) and (6) above

- (10) Two statements (Hindi and English versions) explaining reasons for not laying simultaneously the Hindi versions of papers mentioned at item Nos (7) and (8)(ii) above [Placed in Library See No LT-86/77]

ANNUAL REPORT ON THE COAL MINES LABOUR WELFARE ORGANISATION, NOTIFICATION UNDER DELHI SHOPS AND ESTABLISHMENTS ACT ETC

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA) I beg to lay on the Table

- (1) A copy of the Annual Report (Hindi and English versions) on the activities of the Coal Mines Labour Welfare Organisation for the year 1975-76 [Placed in Library See No LT-86/]

- (2) A copy of the Delhi Shops and Establishments (Amendment) Rules 1976 (Hindi and English versions) published in Notification No F 4(26)/76/CIS/Lab/21094 98 in Delhi Gazette dated the 2nd Decem.

ber, 1976 under sub-section (3) of section 47 of the Delhi Shops and Establishments Act, 1954 [Placed in Library See No LT-87/77]

- (3) A copy of Notification No GOMs 951 (Hindi and English versions) published in Tamil Nadu Government Gazette dated the 24th December 1975 issued under the Tamil Nadu Catering Establishments (Amendment) Act, 1975 read with clause (c) (iv) of the Proclamation dated the 31st January, 1976 issued by the President in relation to the State of Tamil Nadu [Placed in Library See No LT-88/77]

- (4) A copy each of the following Notifications (Hindi and English versions) under sub-section (4) of section 38 of the Industrial Disputes Act, 1947 read with clause (c) (iv) of the Proclamation dated the 31st January, 1976 issued by the President in relation to the State of Tamil Nadu

- (i) GOMs 871 published in Tamil Nadu Government Gazette dated the 13th October, 1976 making certain amendments to the Tamil Nadu Industrial Disputes Rules, 1958

- (ii) GOMs 912 published in Tamil Nadu Government Gazette dated the 27th October 1976 making certain amendments to the Tamil Nadu Industrial Disputes Rules, 1958 [Placed in Library See No LT-89/77]

- (5) A copy each of the following Notifications (Hindi and English versions) under sub-section (3) of section 49 of the Industrial Disputes Act 1947

- (i) SO 4697 published in Gazette of India dated the 11th December, 1976

- (ii) SO 47 published in Gazette of India dated the 1st January, 1977 [Placed in Library See No LT-90/77]

- (6) A copy of the Annual Report (Hindi and English versions) of the Employees' State Insurance Corporation for the year 1975-76, under section 36 of the Employees' State Insurance Act, 1948 [Placed in Library See No LT-91/77]

- (7) A copy of the Annual Report (Hindi and English versions) of the Central Board for workers Education, for the year 1975-76 [Placed in Library See No LT-92/77]

- (8) A copy each of the following Notifications under sub-section (2) of section 7 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952

- (i) The Employees' Provident Funds (Sixth Amendment) Scheme, 1976 (Hindi and English versions) published in Notification No GSR 1717 in Gazette of India dated the 4th December, 1976

- (ii) The Employees' Provident Funds (Seventh Amendment) Scheme, 1976 (Hindi and English versions) published in Notification No G.S.R. 1740 in Gazette of India dated the 11th December, 1976

- (iii) The Employees Deposit-Linked Insurance (Amendment) Scheme 1976 (Hindi and English versions) published in Notification No GSR 1788 in Gazette of

India dated the 25th December, 1976

- (iv) GSR 239 published in Gazette of India dated the 19th February, 1977 containing Corrigendum to Notification No GSR 1355 dated the 18th September, 1976
- (v) The Employees' Provident Funds (Amendment) Scheme, 1977 (Hindi and English versions) published in Notification No. GSR 305 in Gazette of India dated the 5th March, 1977
- (vi) GSR 408 published in Gazette of India dated the 19th March, 1977 containing Corrigendum to Notification No GSR 1717 dated the 4th December, 1976
- (vii) The Employees' Family Pension (Third Amendment) Scheme, 1976 (Hindi and English versions) published in Notification No GSR 174 in Gazette of India dated the 5th February, 1977 [Placed in Library See No LT-93/77]
- (9) A copy of the Annual Report (Hindi and English versions) for the year 1975-76 on the working of the Employees' Provident Funds and the Employees' Family Pension Scheme [Placed in Library See No LT-94/77]
- (10) A copy of the Limestone and Dolomite Mines Labour Welfare Fund (Group C and Group D posts) Conditions of Service and Recruitment Rules, 1976 (Hindi and English versions) published in Notification No GSR 274 in Gazette of India dated the 26th February 1977, under sub-section (4) of section 16

of the Limestone and Dolomite Mines Labour Welfare Fund Act, 1972 [Placed in Library See No LT-95/77]

- (11) A copy of the Beedi Workers Welfare Cess Rules, 1977 (Hindi and English versions) published in Notification No GSR 54(E) in Gazette of India dated the 2nd February, 1977, under sub-section (3) of section 7 of the Beedi Workers Welfare Cess Act, 1976 [Placed in Library See No LT-96/77]
- (12) A copy of the Contract Labour (Regulation and Abolition) Central (Amendment) Rules, 1976 (Hindi and English versions) published in Notification No GSR 199 in Gazette of India dated the 12th February, 1977 under sub-section (3) of section 35 of the Contract Labour (Regulation and Abolition) Act, 1970 [Placed in Library See No LT-97/77]
- (13) A copy of the Metalliferous Mines (Amendment) Regulations 1977 (Hindi and English versions) published in Notification No GSR 308 in Gazette of India dated the 5th March, 1977, under sub-section (?) of section 59 of the Mines Act, 1952 [Placed in Library See No LT-98/77]
- (14) A copy of the Employees' State Insurance (Central) Amendment Rules 1976 (Hindi and English versions) published in Notification No GSR 56 in Gazette of India dated the 6th January, 1977, under sub-section (4) of section 95 of the Employees' State Insurance Act, 1948 [Placed in Library See No LT-99/77]

ber, 1976, under sub-section (3) of section 47 of the Delhi Shops and Establishments Act, 1954 [Placed in Library See No LT-87/77]

- (3) A copy of Notification No GOMs 951 (Hindi and English versions) published in Tamil Nadu Government Gazette dated the 24th December, 1975 issued under the Tamil Nadu Catering Establishments (Amendment) Act, 1975 read with clause (e) (iv) of the Proclamation dated the 31st January, 1976 issued by the President in relation to the State of Tamil Nadu. [Placed in Library See No LT-88/77]

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- (iii) The Employees Deposit-Linked Insurance (Amendment) Scheme 1976 (Hindi and English versions) published in Notification No G.S.R 1783 in Gazette of

PROF DILIP CHAKRAVARTY (Calcutta South) On a point of order In Hazaribagh jail the prisoners

MR. DEPUTY SPEAKER No The hon Member cannot take the opportunity of rising on a point of order and giving some information like this The Minister will make the statement

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH) Sir Consequent on the revocation on the 21st March 1977 of the proclamation of the Emergency made on 25th June 1975 all persons detained in pursuance of the provisions of Section 16A of the Maintenance of Internal Security Act have been released There were however about 6851 persons still in detention on 25th March 1977 They had been detained under Section 3 of the Maintenance of Internal Security Act, grounds of the detention had been furnished to them and their continuance in detention had been approved by the Advisory Boards.

We have already announced our policy in regard to the Maintenance of Internal Security Act Further specific proposals will come before the House in due course in the light of our earlier announcement Consistent with our policy we are clearly of the view that no one should be kept under detention for an indefinite period We are accordingly advising the State Governments to release all those still under detention except where interests of security of the country are clearly involved or where persons have been detained on account of their recent indulgence in violent activities

With the lapse of the provisions of Section 16A of MISA the vast majority of political prisoners have already been released Presumably the Hon'ble Member has in mind the Naxalites as they are called in detention According to the information available with the Government there were 645 such persons in detention in West Bengal Tamil Nadu Kerala and Andhra Pradesh on 25th March 1977 While we do not at all approve of their ideology and while we would clearly reiterate

that any violent activity on the part of Naxalites or others would be firmly dealt with in accordance with law we are also of the view that indefinite continuance in detention of even such persons cannot be any solution to the problems posed by them We are therefore advising the State Governments specifically to release all such Naxalites in detention except in cases where such detentions had been made on account of their recent indulgence in violent activities Several questions have been asked about the number of persons who were detained etc So with your permission I would like to place on the Table of the House a detailed statement about the number of persons detained in various States during the period of Emergency [Placed in Library See No LT 29A/77]

MR DEPUTY SPEAKER Yes Mr Jyotirmoy Bosu

SHRI JYOTIRMOY BOSU Mr Deputy Speaker Sir we joined hands with other Congress opposed forces to defeat Congress and to restore civil liberties and human rights and as the election results have shown the Indian people are with us wholly and that is precisely the reason we are here today

Our Home Minister Chaudhuri Charan Singh had said in a meeting in Muzaffarnagar on 27th February 1977 and it appeared in The Tribune on 1st March 1977

The Janata Party leader Mr Charan Singh today said that the Janata Party if it came to power would repeal security laws like the MISA abrogate the 42nd Constitution Amendment and make electoral laws equal for all

I am glad to see that the matter is now in progress and I expect that it would be completed in toto before long

In the President's Address it has also been stated

Having regard to the gross abuse to which the Maintenance of Internal Security Act has been put during

12 hrs

CALLING ATTENTION TO MATTER
OF URGENT PUBLIC IMPORTANCE

MESSAGES FROM RAJYA SABHA

SECRETARY GENERAL Sir I have to report the following messages received from the Secretary General of Rajya Sabha

(i) In accordance with the provisions of sub rule (8) of rule 168 of the Rules of Procedure and Conduct of Business in the Rajya Sabha I am directed to return herewith the Finance Bill 97 which was passed by the Lok Sabha at its sitting held on the 31st March, 1977 and transmitted to the Rajya Sabha for its recommendation and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill.

(ii) In accordance with the provisions of rule 111 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to enclose a copy of the Food Corporations (Amendment) Bill 1977 which has been passed by the Rajya Sabha at its sitting held on the 4th April, 1977

12 02 hrs

FOOD CORPORATIONS (AMENDMENT) BILL

AS PASSED BY RAJYA SABHA

SECRETARY GENERAL Sir I lay on the Table of the House the Food Corporations (Amendment) Bill, 1977 as passed by Rajya Sabha

IMMEDIATE RELEASE OF POLITICAL
PRISONERS

SHRI KOTIPATY BOSU (Diamond Harbour) Sir I call the attention of the Minister of Home Affairs to the following matter of urgent public importance and request that he may make a statement thereon—

The political prisoners still behind the bars and their immediate release"

SHRI SAMAR GUHA (Contal) Sir I want to make a submission

MR. DEPUTY SPEAKER Is it on this call attention?

SHRI SAMAR GUHA Yes Sir Yes yesterday I met the hon Speaker This matter involves the fate of political prisoners who are still in a very miserable condition in jails in West Bengal and other places. Therefore I requested him to allow the other Members also to participate in this. As the rule does not permit it, he himself suggested that it could be converted into half an hour discussion. I have given notice of that.

MR. DEPUTY-SPEAKER I have seen that. But a call attention cannot be *ipso facto* converted into a discussion. Therefore the hon Minister will make the statement now. The hon Member can give notice of half an hour discussion separately which will be considered.

PROF DILIP CHAKRAVARTY (Calcutta South) On a point of order In Hazaribagh jail the prisoners

MR. DEPUTY SPEAKER No The hon Member cannot take the opportunity of rising on a point of order and giving some information like this The Minister will make the statement

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that any violent activity on the part of Naxalites or others would be firmly dealt with in accordance with law, we are also of the view that indefinite continuance in detention of even such persons cannot be any solution to the problems posed by them We are therefore advising the State Governments specifically to release all such Naxalites in detention except in cases where such detentions had been made on account of their recent indulgence in violent activities Several questions have been asked about the number of persons who were detained etc So with your permission I would like to place on the Table of the House a detailed statement about the number of persons detained in various States during the period of Emergency [Placed in Library See No LT 9JA/77]

MR DEPUTY SPEAKER Yes Mr Jyotirmoy Bosu.

SHRI JYOTIRMOY BOSU Mr Deputy Speaker Sir we joined hands with other Congress opposed forces to defeat Congress and to restore civil liberties and human rights and as the election results have shown the Indian people are with us wholly and that is precisely the reason we are here today

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(Shri Jyotirmoy Bosu)

the last two years, a thorough review of the Act will be undertaken with a view to repealing it and examining whether the existing laws need further strengthening to deal with economic offences and security of the country "

Sir I do not wish to carry coal to Newcastle but I wish to mention here as a person who has shared the platform with the ruling party every where in the country that a target date should be announced. This is because you have mentioned in the last sentence of para 2 of your statement

We are accordingly advising the State Governments to release all those still under detention except where interests of security of the country are clearly involved or where persons have been detained on account of their recent indulgence in violent activities.

Shri Shanti Bhushan is sitting so close to the Home Minister and he knows full well that there is ample provision in the Criminal Procedure Code to prosecute anybody who acts as a criminal. Therefore people with a political background should not be brought within the ambit of this.

I would also like to refer to para 3 of the statement made by the hon Home Minister. In the last sentence it is stated

"We are therefore advising the State Governments specifically to release all such Naxalites in detention except in cases where such detentions had been made on account of their recent indulgence in violent activities

I again repeat that there is ample provision in the Criminal Procedure Code and the persons with a political background should be released at once and you can proceed against those who have done any acts of crime under the normal laws and prosecute them

It was stated that political prisoners, even if they were misguided should be

released to allow them to think and mend themselves. I would give an example Shri K C Pant erstwhile Minister and conscience keeper of Shri matl Indira Gandhi in matters of preservation of democracy admitted on the floor of this House that secretly he had met a number of Naxalites and his plea and pretext to us was that they wanted to give them a chance to mend themselves and released those Naxalites who agreed under pressure to join the Congress. In West Bengal we call them Congress-shells

Another erstwhile Minister, Shri Kedar Singh, a messenger boy, of erstwhile Prime Minister, Shrimati Indira Gandhi met secretly so-called Naxalites in Meerut Jail. He refused to sign the visitors register. When I asked him why he refused to sign the register having went inside the jail and met the inmates his reply was how I came to know of it. I said I have got a white crow, which comes and gives me all the news in the morning

I understand that this Government in principle have decided to act in this matter favourably to preserve human rights and civil liberties. I would like to have a confirmation that no political person would be kept under detention without a trial. And also people with a political background if prosecuted on false charges such as the case of Mr George Fernandes which is a glaring example of how politics worked in the case of Mr George Fernandes and false cases were fabricated and the CBI fully co-operated. Therefore you know what the Police in this country is. They fabricate cases and involve political leaders according to the wishes of their masters. So we do not wish to be tools in the hands of such people. I would request the hon Minister kindly release all political prisoners. Kindly withdraw all cases against political prisoners.

AN HON MEMBER There should be a general amnesty for all political prisoners.

SHRI JYOTIRMOY BOSU I will come to that

Shr.mati Indira Gandhi and her stooge Ministers like the Minister of State, Shri Om Mehta never revealed the figures because it was so enormous. Even a leading Youth Congress leader said recently

'In West Bengal we are having emergency since 1971'

1930--1932—Chaudhari Saheb will remember because he is an old freedom fighter and a Congress man. The Congress Party was declared illegal because of the civil disobedience movement but the Britishers did not do any blanket arrest for detention etc. Only those who continued with their activities were prosecuted but never detained. Therefore, in a free country what we get to-day cannot even be equated with that we got when we were a subjugated race. But in the Indira Raj because somebody was a member of a particular party he was detained. The whole country became a vast prison. If you read the documents of Amnesty International and if you read foreign newspapers like the New York Times and the Washington Post your head will hang in shame. I tell you that this country's image has been tarnished beyond recovery and I do not know how long and how many decades it will take to brighten up our face.

MR DEPUTY SPEAKER You please ask your clarification.

SHRI JYOTIRMOY BOSU Then Sir about the unheard of atrocities and tortures perpetrated by the erst while Indira regime even relations were not spared.

You know how the brother of Mr George Fernandes was beaten up.

Here is a news item in the Indian Express

*Relatives of political prisoners found themselves socially ostracised by family friends and even relatives who seemed to fear that the authorities would give them black if they were caught talking to such people. Middle aged women who had lived a sheltered existence inside the four walls of their household had to make weekly rounds to the sordid premises of the jail and criminal courts. Businesses were ruined with no male members to look after the shops.

This is how you made people's life awfully miserable. At least for 10 lakhs of people their life was made miserable because if 2 lakhs were detained for each person we can take that there are five dependants. For preserving one person in power all these sordid acts were committed. Just like Mr George Fernandes case there are thousands of fabricated cases.

MR. DEPUTY-SPEAKER Please conclude.

SHRI JYOTIRMOY BOSU I tell you one thing. I am afraid you are new to this House. In the Business Advisory Committee it was decided that 45 minutes would be set aside for a call attention motion.

MR DEPUTY SPEAKER The hon. Member should know that 45 minutes is for the entire call attention motion and not for a single Member. You cannot take all the 45 minutes.

SHRI JYOTIRMOY BOSU That provision is not there.

MR DEPUTY-SPEAKER Besides, the BAC of the new House will have yet to decide on it.

I am now asking you to seek your clarification.

SHRI JYOTIRMOY BOSU I am glad the hon. Home Minister Choudhary Sahab has said that he is going to publish and give to the House the figures of detenus. Our figures are incomplete in West Bengal—in the Chittaranjan Locomotive Works 14 railway workers who are trade unionists are still behind the bars. You should know what the MISA says—Section 3 (1) (A) (i) and (ii). What are the figures? Let me quote in Andhra Shri G. G. Rao a trade union leader is behind the bar. In West Bengal, CPI(M) workers—125 are detained under MISA and 137 are languishing without trial. About the so-called Naxalites 500 are behind the bars under MISA and 1000 are in prison without trial. Forward Bloc RSP and a section of the Congress—200 have been detained under MISA. Approximately 5000 political prisoners are rotting in jails in West Bengal under our great democratic leader Mr. S. Narayan Shanmukar. Pay? In the last two years, 25 political prisoners have died in the jails. You can imagine what it is. Mr. Bharati a CPI worker was beaten to death in the Ujjain jail. There are figures about Jamnath Singh also. So all these details we will get. A DMK Member Mr. Chittu Babu was beaten to death in the jail and when the post mortem was held it was found that his intestines were badly damaged.

They had not even spared intellectuals, poets and literary giants. I want figures of MISA cases State-wise, DIR cases State-wise, Section 107 CrPC cases State-wise and Section 109 CrPC cases State-wise. I want to know the specific charges against them. There have been a number of journalists there. There are other intellectuals also. I want to suggest that there should be a general amnesty for them. I want to know whether you will appoint an enquiry commission in this regard and fix responsibility for penal action and nothing short of it.

speech it is not just a few points which he referred to. He made a long speech. I would like to refer to two specific points raised by him. He has referred to a sentence in my statement in which I said

'We are advising the State Governments to release all those still under detention except where interests of security of the country are clearly involved or where persons have been detained on account of their recent indulgence in violent activities.'

As regards the first category this category includes the spies, those who have been working for foreign countries, some of them who have gone underground etc. Such of them as were arrested have been put under this category. The break up of these prisoners is not available to me. I will get these cases examined and in regard to cases where I consider that detention is no longer justified I will see that such persons are released.

As regards those who were indulging in recent activities, this is a statement which is confined to those persons who have been arrested upto 25th March. There are certain cases of persons who committed violence after lifting of emergency. Those cases will also be examined and these cases will be proceeded with under regular law and necessary proceedings will be started in law courts.

Regarding fixing target, I cannot give any assurance because we can only advise the State Governments. Final action lies in their hands. We will do our best in seeing that action is taken as early as possible.

He said about excesses committed by the police during the emergency or even before the emergency. I may assure the House that whether it be the police or the Government officials etc. it is not they so much who are to be blamed as the political leadership that was there. So I would

CHANDHURI CHARAN SINGH
The hon. Member has delivered a

request the hon Member not to be very unkind to the police in future

SHRI JYOTIRMOY BOSU You have not said anything about general amnesty. You have not said anything about the specific point I raised about under trials.

MR DEPUTY SPEAKER Mr Bosu, you have had enough of your say. And the Home Minister has answered most of your points.

SHRI SHYAMNANDAN MISHRA (Begusarai) Mr Deputy Speaker Sir, I am only on a point of clarification. The hon Home Minister was not pleased to refer to the number of Naxalites in Bihar.

MR DEPUTY SPEAKER I think the statement is here.

SHRI SHYAMNANDAN MISHRA Would he be pleased to give us the figures of Naxalites? (Interruptions)

MR DEPUTY SPEAKER Now no more questions please. I have already called the hon Minister Dr Chunder.

SHRI M KALIANASUNDARAM (Tiruchirappalli) Sir, I have given notice to raise an important matter under Rule 377.

MR DEPUTY SPEAKER You have given the notice which is being looked into. You cannot raise it on the floor of the House. Nobody else will take the floor excepting Dr Chunder whom I have already called.

12.26 hrs

STATEMENT RE GOVERNMENTS POLICY ON UNIVERSALISATION OF LITERACY IMPROVEMENT OF SECONDARY EDUCATION RESEARCH POLITICAL VICTIMISATION IN THE DEPARTMENT OF EDUCATION AND CULTURE AND REMOVAL OF RESTRICTIONS ON ELECTIONS TO STUDENTS' UNIONS

THE MINISTER OF EDUCATION
SOCIAL WELFARE AND CULTURE

(SHRI PRATAP CHANDRA CHANDER) I am grateful to the Speaker for having given me this opportunity to make a statement in this august House.

The Government would like to give the highest priority to the universalisation of literacy in the country. I am informed that 87 per cent of the children in the age group 6—11 and 39 per cent of the children in the age group 11—14 have facilities for primary and middle school education in our country as at present. The present Fifth Plan envisages enrolment of 96 per cent of the age group 6—11 and 46 per cent of the age group 11—14. In regard to adult literacy according to the 1971 census 34 per cent of the population above the age of four are literate. In terms of numbers, I understand, more than 200 million adults above the age of 15 are still illiterate. The dimensions of this problem are truly gigantic. However the present Government are extremely anxious that urgent steps should be taken to achieve substantial progress in the matter of universalisation of elementary education and promotion of adult literacy. We have not yet had time to study in detail the various aspects of the problem and also consult the States who are primarily concerned with this. However we would take the earliest opportunity to study this question in detail and prepare a time-bound plan of action for universalisation of elementary education and promotion of adult literacy. We shall also make earnest efforts to reduce the existing gap between the world of work and world of education keeping in view the principles of basic education as enunciated by our Father of the Nation, Mahatma Gandhi.

The secondary education sector especially the curriculum syllabus and text books may all require to be looked into to lighten the academic burden on the students to enable them to turn their attention to sports.

[Shri Pratap Chandra Chander]

recreation cultural aesthetic pursuits and social work. At the level of higher education fundamental and applied research deserve greater emphasis. I should also like to state here that there are no in favour of undue interference in the field of education.

Many Honble Members of this House and other friends are approaching me and also writing to me about complaints of political victimisation in the Departments of Education and Culture. I asked for details of premature retirement and reversions in the Departments of Education and Culture. I find that as far as the Department of Education and its attached and subordinate offices are concerned there has been no case of premature retirement during the last 2 years. There has been one case of reversion, but it would appear that this reversion was based on entries in the confidential records. However this case is also under review.

In the case of Department of Culture, while there was no premature retirement or reversion in the Department at the Secretariat level, three cases of premature retirement in the attached offices have been reported. I have directed that these cases may be reviewed and submitted to me. I have also issued directions that a thorough check should be made in the attached and subordinate offices, under the Departments of Education and Culture to verify whether there has been any case of victimisation on political grounds. I have also issued similar instructions to obtain the same information in regard to the autonomous organisations attached to the Departments of Education and Culture. I hope to secure the information within a few days. I should like to assure the Honble Members that all cases which involve political victimisation will be reviewed.

We shall write to the State Governments and universities requesting them to review the action taken against the staff in the educational organisations on political grounds, in the changed circumstances. I am hoping that the State Governments and Universities will respond to our request.

I have learnt that instructions had gone from the Ministry suggesting temporary postponement of elections to the various student unions in the Universities. I have directed that revised instructions may issue removing these restrictions. I am also taking up a review of instructions issued during the last 20 months in the wake of emergency imposing similar restrictions (Interruptions).

MR. DEPUTY-SPEAKER Mr. Bora do not interrupt now. That subject-matter is now over. You will have enough opportunities to raise it again. Let the Home Minister introduce the Bill. Then you can have your objections and points of order.

12.33 hrs.

GOVERNMENT OF UNION TERRITORIES (AMENDMENT) BILL*

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH) Sir, I beg to move for leave to introduce a Bill further to amend the Government of Union Territories Act, 1963.

MR. DEPUTY SPEAKER The question is

"That leave be granted to introduce a Bill further to amend the Government of Union Territories Act, 1963."

The motion was adopted.

*Published in Gazette of India Extraordinary, Part II section 2 dated 5-4-77

CHAUDHURI CHARAN SINGH
Sir I introduce the Bill

MR DEPUTY-SPEAKER Now, I will listen to your points of order I cannot listen to any point of order when there is no business before the House

SHRI M KALYANASUNDARAM (Tiruchirappalli) Mr Deputy Speaker Sir these Bills have been sent only this morning They are very important Bills which seek to undo some of the mischiefs done by the previous government As they have been circulated only today how are we to study them? The rule says that there should be at least seven days notice What is the urgency? The exception should not become the rule Of course the Speaker has got powers to waive the notice and allow the introduction Tomorrow is the last date I know what Mr Patnaik is telling you He is bringing to your notice that the Memorandum has been circulated I have gone through the Memorandum but the Memorandum doesn't explain the urgency of this Can't they wait till the next Session? I object to the introduction of the Bill and I object to the Speaker waiving the notice period

SHRI ARAVINDA BALA PAJANOR (Pondicherry) I would like to submit, Mr Deputy Speaker Sir that I would like to have a method by which you can suggest to the government so that we can hear all the Members at the same time because now we are not able to hear the proceedings properly

MR DEPUTY-SPEAKER That is why the Members should have some restraint. If one by one speaks every Member can have a chance to speak

SHRI ARVINDA BALA PAJANOR Sir the lunch hour is approaching and the brain power has no value and I don't think many of the Members will be here now Mr Deputy Speaker the

present Government is very much against the Emergency provision. And we know pretty well that last time when the 42nd Amendment and some other amendments were presented before this House they used to supply the material about 8 O'clock or 9 O'clock and I had raised it in this very same House that this is a very bad practice I agree with Mr Kalyanasundaram for giving more time to introduce a Bill like this Actually I have got my paper today at 8.30 A.M. and this is not the way to treat us and if that is going to be the method and you are going to hurry with these Bills I think you are going to bury justice

SHRI SOUGATA BOY (Pattadakpore) The charge against the previous government was that it tried to rush through legislation during emergency We are making the same charge against the present Government that it is trying to do the things in a similar way

MR. DEPUTY SPEAKER Mr Kalyanasundaram I may say that what the Secretary was giving me was a copy of the Memorandum The Memorandum has been circulated and they have explained the urgency that is forcing them to adopt this course and the Speaker has waived notice and he has permitted this Bill to be introduced So there the matter ends

12.36 hrs

STATEMENT RE. GOVERNMENT OF UNION TERRITORIES (AMENDMENT) ORDINANCE

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH) Sir with your permission I lay on the Table an explanatory statement (Hindi and English version) giving reasons for immediate legislation by the Government of Union Territories (Amendment) Ordinance 1977

12.37 hrs.

DELHI ADMINISTRATION (AMENDMENT) BILL*

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH) Sir I beg to move for leave to introduce a Bill to amend the Delhi Administration Act 1966

MR. DEPUTY-SPEAKER The question is

That leave be granted to introduce a Bill to amend the Delhi Administration Act 1966

The motion was adopted

CHAUDHURI CHARAN SINGH Sir I introduce the Bill

STATEMENT RE DELHI ADMINISTRATION (AMENDMENT) ORDINANCE

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH) With your permission again I beg to lay on the Table an explanatory statement (Hindi and English versions) giving reason, for immediate legislation by the Delhi Administration (Amendment) Ordinance 1977

12.39 hrs

DISPUTED ELECTIONS (PRIME MINISTER AND SPEAKER) BILL*

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN) I beg to move for leave to introduce a Bill to provide for authorities to deal with disputed elections to Parliament in the case of Prime Minister and Speaker of the House of the People and for matters connected therewith

MR. DEPUTY SPEAKER Motion moved

That leave be granted to introduce a Bill to provide for Authorities to deal with disputed elections to Parliament in the case of Prime Minister and Speaker of the House of the People and for matters connected therewith."

I have received notice from three Members and I will allow those three Members to speak.

SHRI SHYAMNANDAN MISRA (Begusarai) Mr Deputy Speaker Sir, I am rising to express certain doubts and misgivings about this measure. And if the hon. Law Minister succeeds in removing those doubts and misgivings I will not finally oppose this motion. But at the moment the position is that it seems to me quite obvious that this measure is contrary to the spirit of Article 14 of the Constitution which provides for equality before law. At the same time I am not able to understand why the present Government should be as keen as the previous government was that a Member when he or she becomes the Prime Minister he or she should be considered as a different animal to be treated in a different kind of zoo. That is the position which is frankly speaking not very clear to me. That the present government should subscribe to that principle as did the earlier government, is on the face of it strange. I have no doubt, Mr Deputy-Speaker that my government is as much committed to the salutary principle of equality before law as any one of the members of the party is. At the same time I realise that they have certain difficulties to contend with at the present moment which they may not have in the future. But I venture to think that there could be some other alternatives before the government. It is also quite clear—it does not require any reiteration to the hon. Law Minister—that our election manifesto states

that we shall ensure that all individuals including those who hold high offices are equal before law

What is the concept of equality before law? Is it being sought to be observed in this case? These are the crucial questions before us

Equality before law means that among equals the law should be equal and should be equally administered that is likes should be treated alike. Are we not as Members alike? I do hope that the hon. Law Minister thinks that we are all alike and that he would certainly do something to undo the grave wrong that has been done to the Constitution. I would have been happy if the hon. Law Minister had made it clear in the statement of objects and reasons itself that the ultimate objective of the government was to clear the position in this regard namely it could not subscribe to the idea of placing the Prime Minister above law. I do not think that there could be any objection to the ultimate objective of the hon. Law Minister being made clear in the statement of objects and reasons itself nothing came in the way of its being mentioned in the statement of objects and reasons. Even so I do hope that even at this point of time the hon. Law Minister would come forward if not today, tomorrow with a Bill to repeal Article 329 of the Constitution. I would now be coming to certain other points. But before I do so I would like to emphasise that the special privilege in favour of an individual continues to disfigure the Constitution, and it does do away with the salutary principle of equality before law. We should like the hon. Law Minister to make it clear to the House and to the world that he and this government do not subscribe to the principle that the Prime Minister can do no wrong that the Prime Minister should be treated in a different category altogether. However, I do realise as I said earlier, that the government is placed in a difficult predicament because of the

amendment of the Constitution and there is not sufficient time to undo the wrong that has been done to the Constitution. The Constitution now requires that a special authority shall be provided to try election cases relating to the Prime Minister and the Speaker and that authority was sought to be provided by an ordinance. It is also clear to me that this Bill is a substantial improvement upon the ordinance that had been promulgated by the earlier government because the earlier government had tried to institute a kind of tribunal which was unheard of in judicial history. There was to be a conger of persons to try out election cases relating to the Prime Minister and the Speaker. This Bill seeks to eliminate non judicial elements from the tribunal and this provides for the matter to be referred to a judicial tribunal. To that extent it is an improvement upon the ordinance that was promulgated by the former government in February. But my submission to the government and the hon. Law Minister is that they should take early steps to undo the wrong that has been done to the Constitution and to the sacred principle of equality before law.

Now a question may be asked. If you do not provide for an authority would there be a vacuum in law? If the ordinance was allowed to lapse, would there have been a vacuum or chaos in law? If that is so that position has to be taken into account. But to my mind, there could not have been any vacuum although I am assailed by a doubt because article 329 says that no such election shall be called into question except before such authority as is referred to in clause (b) of article 329. Clause (b) refers to the ordinary tribunals which try other election cases. That really creates a difficult situation but since the hon. Minister happens to be a great expert in law I would ask if there is a vacuum in law, what operates? Would the government be called to account for that? Can there

[Shri Shyamanandan Mishra]

be a vacuum in law? If there is indeed a vacuum in law is it that somehow the court will have to bring itself to accepting the existing forum for that purpose? The hon. ble Minister should have examined the position namely if the ordinance had been allowed to lapse there would have been a vacuum so far as the authority to try such cases was concerned. To my mind if there was a vacuum it would not have been allowed to remain by the court and the existing authority would have been allowed to operate.

Secondly my doubt is with regard to the forum of appeal. If the Chief Justice of the Supreme Court appoints a judge of the Supreme Court to try the cases relating to the hon. Prime Minister and the hon. Speaker would not the Supreme Court as a forum of appeal be 'plut out'? It may not be so. That is also my position but let the minister make the point clear. Apart from that in accordance with the provisions of the amended Constitution I think that any forum of appeal is ruled out in this case. I am now taking a different position altogether. I am not merely taking the position that since the tribunal would be appointed by the Chief Justice of India from amongst the judges of the Supreme Court the Supreme Court cannot be a forum of appeal. I am also taking into account the provisions of article 329 of the Constitution as it stands. Is not any forum of appeal completely ruled out according to article 329? Should the position be allowed to remain as it is? Could not a forum of appeal have been provided for? Perhaps the Constitution comes again in the way. Has the hon. ble minister examined whether there would be a forum of appeal in the matter of these election cases? These are some of my doubts and I hope the minister will clear them.

श्री शरद यादव (जबलपुर) : अध्यक्ष महोदय हम लोगों ने, जनता पार्टी के

साथ ने अपने घोषणा पत्र में कहा था कि वानून के मागे हिन्दुस्तान के 62 करोड़ आदमी बराबर रहेंगे लेकिन यह बात जो आया है इस में कहा है कि प्रधान मंत्री और स्पीकर ने लिये प्रलग ट्रिब्यूनल बनाया जायगा और उस में जाच की जायगी। मैं पूछना चाहता हूँ और यह कहना चाहता हूँ कि पिछले प्रधान मंत्री ने जो प्रधान मंत्री इस देश में रहे जिसने हिमाचल को गुलाम बनाया, गया को गुलाम बनाया, जिसने विन्ध्यक्षेत्र को गुलाम बनाया जिसने कावेरी गोदावरी से लेकर सदलज तक सब को गुलाम बनाया, जिसने देश का छेतिहर मजदूर को गुलाम बनाया, जिसने देश के 62 करोड़ आदमियों को गुलाम बनाया वह सारे देश को गुलाम बनाने वाले आदमी कौन थे? वह कौन था? वह प्रधान मंत्री था। जो प्रधान मंत्री इस तरह को गली कर सकता है वह कोई खुदा नहीं है। उन का लिये इस तरह से प्रलग कोई प्रावधान किया जाये इस को हम बर्दाश्त नहीं करते। मैं सरकार से कहना चाहता हूँ कि इस तरह की कोई विशेष सुविधा या कोई प्रिविलेज देकर प्रधान मंत्री और स्पीकर को प्रलग रखा जाये यह कोई अच्छी परम्परा नहीं है। पिछले प्रधान मंत्री से यह बात साबित हो गई है कि प्रधान मंत्री कोई खुदा नहीं होता, केवल इंसान ही होता है। उन से भयकर भूलें हुई हैं। जिन को इस देश का करोड़ों लोगों ने भोगा है। साखा लोग जेल गये हैं। यह सारा कुछ प्रधान मंत्री ने ही किया था। आज दूसरे प्रधान मंत्री और स्पीकर बने हैं वे निष्पक्ष ही रहेंगे इस बात की क्या सम्भावना है? इसलिये मैं अपने ला मिनिस्टर से और अपनी पार्टी से निवेदन करना चाहता हूँ कि ऐसा प्रावधान नहीं होना चाहिये। आज सवेरे जब मैं बैठक देखा तो 9

वजे यहां दौड़ कर आया। मेरी भावनाओं को बहुत ठेस लगी है। ला मिनिस्टर से मेरा निवेदन है कि इस बिल को तुरन्त वापिस लिया जाय। इस तरह का कोई ट्रियूनल नहीं बनाया जाना चाहिये। अगर यह बनाया जायेगा तो देश के नीजबान इस का समर्थन नहीं करेंगे हम चाहते हैं सरकार इस बिल को वापिस ले। कानून में सामने हाईकोर्ट सुप्रीम कोर्ट या दूसरी अदालतों में प्रधान मंत्री और इस देश को 62 करोड़ जनता जिसों कापाल चपरासी सभी भाते हैं वहां पर जाये मैं अपनी पूरी भावनाओं के साथ इस बात को यहां पर कह रहा हूँ पिछले प्रधान मंत्री ने जो पाप किये हैं उन से साबित हो जाता है कि इस देश में प्रधान मंत्री बहुत बड़ी गलतियाँ कर सकता है यद्यपि कि वह भी इन्सान होता है और सभी इन्सानों में कानून के सामने बराबरी होना चाहिये। यही मेरा ला मिनिस्टर से निवेदन है। इतना ही कहकर मैं अपनी बात समाप्त करता हूँ।

श्री मधु निमये (बाबा) : उपाध्यक्ष महोदय, इस विधेयक के पेश होने से मुझे डर लग रहा है कि देश में गलतफहमी फैलगी। मैंने जब आज कार्यसूची देखी तो मैं भी परेशान हो गया कि जिस विधेयक का हम लोगो ने विरोध किया था—हम में से अधिकांश तो उस समय जेलों में बन्द थे लेकिन जो सदन में मौजूद थे उन्होंने अपनी भावना स्पष्ट शब्दों में व्यक्त की थी और हमने भी अपने विचार जेल से बाहर भेजने का प्रयास किया था इसलिए आज इसको देखा कर मैं परेशान हो गया। यह जो वास्टीट्यूशन प्रमेजमेंट एक्ट बना उसका नाम ही बड़ा गन्दा है। आप नाम देखिये :

Special Provisions as to elections to Parliament in the case of Prime Minister and Speaker

यहां प्रधान मंत्री और क्या स्पीकर, जो चुनाव के मतदान में वे उत्तरते हैं तो वे

केवल लोक सभा के उम्मीदवार होते हैं और उससे अलावा कुछ भी नहीं होते। मतदाताओं को भालूम भी नहीं होता कि कौन प्रधान मंत्री होने वाला है। ऐसी हालत में लोक सभा के उम्मीदवारों में किसी प्रकार का कोई विषम व्यवहार करना वह हमारे संविधान के जो बुनियादी सिद्धान्त हैं, समानता के सिद्धान्त हैं उनके विपरीत होगा।

मैं जानता हूँ कि 329(ए) को उत्काल रद्द करने में सरकार के सामने कुछ कठिनाइयाँ हैं लेकिन फिर भी मेरी मान्यता है कि पहले तो उद्देश्यों का जो ज्ञापन है उसमें बिल्कुल सफाई के साथ कहना चाहिये, जैसा कि श्यामनन्दन जी ने कहा कि किस परिस्थिति में हम यह विधेयक पेश कर रहे हैं। इसमें दूसरी गलती यह हुई है कि इस विधेयक के साथ साथ उसी दिन कार्यसूची में 329(ए) को रीजोल करने वाला संविधान संशोधन विधेयक भी आना चाहिए था। तब गलत-फहमी नहीं होती। मैं जानता हूँ—शायद कानून मंत्री यह सोच रहे हैं कि यदि ये 329(ए) वाला संशोधन विधेयक यहां पेश कर भी दें और वह लोकसभा में पास भी हो जाय, तो यह जरूरी नहीं है कि वह राज्य सभा में भी पास हो जाय। इस के लिये मैंने पहले ही यह सुझाव दिया था कि देश के जितने महत्वपूर्ण मामले हैं, लेजिस्लेटिव प्रोग्राम्ड हैं, सर्वधानिय संशोधन हैं—इनके बारे में आपकी विरोध पक्ष के नेता से सलाह मशविरा करना चाहिये। मैं, उपाध्यक्ष महोदय, आप के माध्यम से कानून मंत्री जी से प्रार्थना करूँगा कि वे औपचारिक तौर पर विरोध पक्ष के जो नेता हैं—राज्य सभा में या इस सदन में—दाना को बुलाइय और उन से खानचीत कीजिये। मैं यह बात सभी सर्वधानिय संशोधनों के बारे में नहीं कह रहा हूँ, क्योंकि इस सम्बन्ध में उनकी अपनी राय है, उनकी अपनी नीति है, अपने कार्यक्रम हैं, हम उनमें हस्तक्षेप नहीं करना चाहते। लेकिन जैसा मैंने उनसे कहा था कि क्या एमर्जेंसी को आप एवरेन्शन

[श्री मधुलिमये]

समझते हैं। तब उन्होंने कहा कि एमजेंटों के दौरान जो हुआ है, वह हमारी परम्परा के अनुरूप नहीं है। जैसे की परम्परा के अनुरूप नहीं है। इसलिये जन-स्वातन्त्र्य और जन-अधिकार पोपुलर-लिबरटीज और पोपुलर राइट्स—इनके बारे में हमारी उनकी एकराश है। इसलिये मेरा कहना है कि पहले संविधान संशोधन में आप केवल ऐसी दो-तीन बातों को रखिये जिनके बारे में किसी को मतभेद नहीं हो सकती है, जिनके द्वारा हम जनता के छीने हुए अधिकारों को लौटा रहे हैं। आप जन-स्वातन्त्र्य का अधिकार अपने बोट से अपने प्रतिनिधियों को चुनने का अधिकार या सत्य स्वातन्त्र्य का अधिकार समानता का अधिकार—य सब बातें उसमें जाती हैं।

जहाँ तक मुझे मालूम है—बङ्गाल साहब पूरी पालियामेन्टी कांग्रेस पार्टी के नेता हैं, ऐसा नहीं है कि केवल लोक सभा के ही नेता हैं। इस लिये वे अपने राज्य सभा के सहयोगी हैं—मुझे पूरा यकीन है—बात करने। मैं चाहता हूँ कि मंत्री महोदय इस सदन की प्राप्तिमान दें कि वे इस तरह का विधेयक लायेंगे और अगर उपाध्यक्ष महोदय आपको इजाजत दें उद्देश्य का जो आपन है उस में भी आप संशोधन कीजिये। क्योंकि यह ऐसा डाफ़्यूमेंट है, जिसके बारे में 100 साल के बाद भी कहा जा सकता है कि जनता पार्टी की सरकार एक चुनाव घोषणा पत्र के आधार पर जो करवाई, लेकिन पहले ही छोटे सत्र में यह एक ऐसा विधेयक लेकर आई जिसमें समानता के सिद्धान्त या हानि हुआ। इसलिए रिफ़ार्ड को साफ करने के लिए अगर उपाध्यक्ष महोदय आपको इजाजत दें तो उसमें संशोधन कीजिये, उसमें एक वाक्य रखिये—कृषि रिक्तता और शून्यता का खतरा था, इसलिये हम ऐसा कर रहे हैं। लेकिन हमारी नीति ऐसी नहीं है हम समानता के प्रति दृढ़-संकल्प हैं और समानता का रास्ता कायम करने के लिये कोशिश कर रहे हैं।

1300 hrs

SHRI HARI VISHNU KAMATH (Hoshangabad) I rise on a point of order I fail to understand why the Janata government should continue to hold the babies, or rather, the ugly ducklings of the predecessor government (Interruption) I invite attention to Article 23 of the Constitution clause (2). Government could easily have found a way out of the course that they have adopted this morning—an unhealthy and undesirable course for the Janata government to adopt The Memorandum under Directions 19A and 19B supplied along with the explanatory statement laid on the Table along with the Bill states that the ordinance was promulgated by the President on the 3rd February 1977 Now the present Bill seeks to replace the said Ordinance with certain modifications Now, is that the only way open to the Government? Could Government not have taken recourse to article 123 clause (2) which would have easily helped them without holding this baby before Parliament this new Parliament, the Janata Parliament? Clause (2) says

"An Ordinance promulgated under this article shall have the same force and effect as an Act of Parliament but every such Ordinance—

(a) shall be laid before both Houses of Parliament and shall cease to operate at the expiration of six weeks from the reassembly of Parliament or if before the expiration of that period resolutions disapproving it are passed by both Houses upon the passing of the second of these resolutions and"

The latter part of above does not apply Further part (b) says

"(b) may be withdrawn at any time by the President"

This is very very helpful If they had taken it very seriously and if part (a) is not acceptable they could have

advised the President to withdraw the ordinance to restore the *status quo* ante prior to emergency. I would like the Law Minister to throw light on this matter.

SHRI SHANTI BHUSHAN Mr Deputy-Speaker, Sir, I am very happy at this matter has been raised by the hon Members, Shri Shyamnandan Misra, Shri Sharad Yadav and Shri Radhu Limaye and a point of order for Shri Kamath also.

I would like to say with all the emphasis at my command that the Government is totally opposed to the whole of article 329A. The Government is fully committed to restore absolute equality between the Prime Minister and the Speaker on the one hand and all the other hon Members of Parliament on the other hand. The Government believes that in all these matters the principle of equality is so basic and an integral part of democracy that without this equality no democracy can really succeed in this country.

But the hon House would appreciate the difficulties and the constraints under which the present Government has to function today for a certain period, on account of the things done by the previous government earlier. As the House is aware, article 329A was enacted under very very unfortunate circumstances in August 1975. I am, however, very happy that a part of that article 329A, namely, clause (4), was found to be so opposed to the basic structure of the Constitution that it was struck down by the whole Supreme Court. But, so far as the other clauses were concerned, namely clauses (1) (2) and (3) the Supreme Court did not get any opportunity in that case to pronounce upon with the result that those clauses are still in existence in the Constitution of India.

Now this Ordinance was promulgated by the previous Government in

accordance with the requirements of article 239A. I would just read out as to what the requirement of article 329A is. That article says

“(1) Subject to the provisions of Chapter II of Part V except sub-clause (e) of clause (1) of article 102 no election—

(a) to either House of Parliament of a person who holds the office of Prime Minister at the time of such election or is appointed as Prime Minister after such election,

(b) to the House of the People of a person who holds the office of Speaker of that House at the time of such election or who is chosen as the Speaker for that House after such election,

shall be called in question except before such authority.”

—now what follows is very important—

“not being any such authority as is referred to in clause (b) of article (329) or body and in such manner as may be provided for by or under any law made by Parliament and any such law may provide for all other matters relating to doubts and disputes in relation to such election including the grounds on which such election may be questioned”

So that so long as the constitutional amendment was on the statute-book, the position was that neither Parliament nor the President in exercise of his ordinance promulgating authority could again provide for the same authority, because it was expressly said “such authority (not being any such authority as is referred to in clause (b) of article (29)”, which means that the High Court to which the election petition has to be presented against other Members of Parliament has been ruled out. So while the Government was very keen that the position of absolute equality must

[Shri Shanti Bhushan]

be immediately restored between the Prime Minister and the Speaker on the one hand the other hon. Members on the other hand this constraint imposed by article 329A came in its way

Government wants to introduce a Bill for the total and complete repeal of article 329A and I would appeal to the Leader of the Opposition as well as friends on the other side to help us in establishing this equality between the Prime Minister and the Speaker on the one side and the other Members of the House on the other. This Bill I hope would be introduced very early

The Ordinance which had been issued by the previous Government provided that in the case of the Prime Minister and the Speaker the authority to decide the dispute about the election would be a kind of a parliamentary committee consisting of three representatives of the Lok Sabha three representatives of the Rajya Sabha and three nominees of the Government. The public sentiment was that such an authority would not command the confidence of the public. The option before us was to substitute some authority other than the High Court because that was prohibited by the article itself and we thought that if we could not substitute a High Court as the authority as in the case of other Members of Parliament, we must not substitute an inferior authority but might substitute a superior authority. That was the reason behind this provision and we thought that as we could not have any authority other than a Judge we would have a permanent sitting Judge of the Supreme Court to be nominated by the Chief Justice.

Shri Shyamnandan Mishra raised a point that the Ordinance could have been withdrawn under article 123(2) (b). There is no doubt that it could have been withdrawn but if it had been withdrawn and no other Bill had been introduced, there would have

been a vacuum. Shri Mishra appears to be under the impression that if there was a vacuum, the courts would perhaps have formulated some kind of a remedy. The High Court perhaps might have entertained a petition against the Prime Minister or the Speaker. I am very sorry to say that that would not be the legal position in the face of the clear provision in article 329. So if the Ordinance had been withdrawn or allowed to lapse the position would have been exactly the reverse of what the hon. Member contemplates, namely we would have been open to the charge that by allowing the Ordinance to lapse while we are not restoring and cannot constitutionally restore the authority of the High Court to question the election of the Prime Minister and the Speaker we are eliminating even such authority as was provided by the Ordinance and it would have been said that the election of the Prime Minister and the Speaker could not be questioned before any forum. So some forum had to be provided. A vacuum should not be allowed to come in. Therefore we have within the constraints of the Constitutional provision, provided for a Supreme Court Judge. There cannot be any possible objection to that.

But at the same time we would like the judge of the High Court to be substituted as quickly as possible and therefore that Bill would be introduced. Another point which has been raised is about the appellate forum. Now care has been taken that here a Supreme Court judge who would be nominated by the Chief Justice would not be deciding the election petition. It would be the authority constituted by a notification of the President. But the authority will be that sitting judge of the Supreme Court who is nominated by the Chief Justice with the result that he would be functioning as the authority and since that authority would be a judicial authority it would be disposing of judicial disputes, judicial controversies. Therefore the de-

cision of such an authority would be questionable by an appeal to the Supreme Court under Article 136 of the Constitution

Just as in the High Courts sometimes a matter is decided by a single judge of the High Court and even though a High Court judge has disposed of a matter an appeal lies in the High Court itself before two judges or a large number of judges the legal position would be that in regard to this single judge of the High Court who would be deciding a dispute as an authority constituted an appeal would lie against the decision of that single judge of the Supreme Court before the Supreme Court as such under Article 136 of the Constitution

I hope that with this clarification any doubts in the matter anywhere in the country which might otherwise have been there and the point which had now been so pointedly raised would be completely set at rest and we shall get the co-operation of the entire House in our firm resolve as quickly as possible to put the constitutional position on a sound footing which is in the fitness of things in a democratic country

MR DEPUTY-SPEAKER He has answered all the points. Has he leave of the House to introduce the Bill?

SHRI SHYAMNANDAN MISHRA One point remains to be clarified According to the provision of Article 329 of the Constitution the appeal is perhaps not eliminated I want to know the clear position It appears to me—on a cursory view of Article 329 as the Bill was circulated amongst us this morning and we did not have enough time to go into it—in accordance with the provision of Article 329 that the appeal is not barred

SHRI SHANTI BHUSHAN In fact earlier also before the High Court

was designated as the authority to deal with the election petition the House would recall that there used to be a tribunal to decide election petitions At that stage this very question had been raised in High Courts and the matter had ultimately gone to the Supreme Court and arguments had been advanced that because Article 329 contemplated no authority other than the authority laid down under Article 329 it would alone decide the election disputes Therefore that had ruled out either the writ petition in the High Court against the decision of the election tribunal or an appeal to the Supreme Court under Article 136 But the Supreme Court had decided on that question that Article 329 did not rule out the constitutional power of the Supreme Court to entertain a writ petition against the decision of the election petition or the power of the Supreme Court under Article 136 to entertain the appeal against the decision of the tribunal There is no reason to think that the Supreme Court will not take this in view

MR DEPUTY-SPEAKER The question is

'That leave be granted to introduce a Bill to provide for authorities to deal with disputed elections to Parliament in the case of Prime Minister and Speaker of the House of the People and for matters connected therewith'

The motion was adopted

SHRI SHANTI BHUSHAN I introduce the Bill

STATEMENT RE DISPUTED ELECTIONS (PRIME MINISTER AND SPEAKER) ORDINANCE

THE MINISTER OF LAW JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN) I lay

[Shri Shanti Bhushan]

on the Table an explanatory statement (Hindi and English versions) giving reasons for immediate legislation by the Disputes Elections (Prime Minister and Speaker) Ordinance 1977

13 15 hrs

MOTION OF THANKS ON THE ADDRESS BY THE VICE PRESIDENT ACTING AS PRESIDENT

MR. DEPUTY SPEAKER We shall begin further discussion on the motion of thanks on the Address by the Vice-President acting as President

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA) Before we begin discussion on the motion of thanks on the Address by the Vice-President acting as President I would like to make a statement regarding the sitting of the House Yesterday you would recall it was decided that the debate on the motion would continue for an hour this morning and the Prime Minister would be requested to reply to the debate at 2 PM As things have gone on in the House now we see that one hour after the Question Hour is over and the time for lunch recess has come I would therefore request you to agree to forego the lunch recess and continue with the debate on the President's Address This will give an opportunity to more hon Members to speak and participate in the debate The Prime Minister will then reply to the debate at 3 PM

SHRI K RAGHU RAMAIAH (Guntur) Sir it has been the customs and the procedure in this House all these years that when changes like this are made the Opposition is also consulted While I have no objection to the present proposal I would like my hon. friend the Minister of Parliamentary Affairs to follow the time-honoured customs of consulting the Opposition

about any extension of time or extension of the sitting of the House or any such accommodation We are willing to cooperate. But we should not be ignored

SHRI RAVINDRA VARMA I wish to say that I am extremely sorry that I did not have the occasion to consult the Opposition I will see that such a lapse does not occur in future

MR DEPUTY-SPEAKER I think the House agrees to the suggestion put forward by the Minister of Parliamentary Affairs

HON MEMBERS Yes

MR DEPUTY-SPEAKER I would also suggest that if need be we may sit beyond 6 O'clock today to complete some of the Government business

श्री गणेश दादव (जबलपुर) उपाध्यक्ष महोदय, मैं सोचा था बिहार वाला मामला जो था उसको और घापका ध्यान दिखाना चाहता हूँ। घाप देखिये कि हिन्दुस्तान में जो भी मामला हुआ है बिहार विधान सभा को भग्न करने के बारे में कितने मौजवाना की जाते हैं, जितनी ही हमारे साथ ज्यादातया ई सब कुछ हुआ और 90 धादिमियों ने इस्तीफा दे रखा है। और उस विधान सभा को जिसने इतने सब पाप किये हैं भग्न कराने के प्रश्न पर मौजवान लोग लोग सभा में सामने भूख हड़ताल कर रहे हैं। बिहार में मौजवान तबलीक भी हैं उनकी मरनामो को ठेस लग रही है। साथी लोग ने दस्तखत करके दिया है कि इस लोक सभा के चुनाव में बिहार की जनता ने सारे से सारे काग्रेस के जो खड़े हुए बिजली के खम्भे से सब को हरा दिया। मैं भी छाव सपर्य समिति के सदस्या के साथ प्रधान मंत्री से मिला था और उन्होंने 8 दिन का वक़्त दिया था कि इस बीच कोई फैसला हो जायगा। लेकिन अभी तक उस बारे में कोई फैसला नहीं हुआ है। बिहार के लोगों की जो मरनामो है, जितनी कुरबानियाँ

उन्होंने दी हैं, जितनी हमने यातनायें और कष्ट सहें हैं, उन सब को ध्यान में रखते हुए मेरा सरकार से निवेदन है कि जा नौजवान भूख हड़ताल पर बैठे हुए हैं उनकी तरफ देख कर और बिहार के नौजवानों और जनता की भावनाओं को समझ कर वे सरकार जल्दी से फैसला दे और उस पापी विधान सभा को भंग करे। जनता न तो अपना फैसला दे दिया है अब आपको फैसला देना चाहिये।

श्री मधु निमये (बंग) आप उन लड़का से मिल लीजिये।

श्री श्यामनन्दन मिश्र (बेगूसराय)
उपाध्यक्ष महोदय आप उन छात्रों से मिलने जायें, या कोई मंत्री महोदय मिलने जायें। 4 छात्र यहां पर उपवास कर रहे हैं। सवाल है विधान सभा का चुनाव का elections to the Assembly का सरकार को इससे सम्बन्ध में भी अपनी स्थिति इसी सेशन में साफ कर देनी चाहिये।

MR. DEPUTY-SPEAKER Now, we proceed with the discussion on the President's Address. As there is hardly 1-1/2 hours time left it would be appreciated if the hon. Members take only about 5 minutes each.

Shri Chitta Basu

SHRI CHITTA BASU (Barasat)
Mr Deputy-Speaker, Sir, as you are aware the Sixth Lok Sabha has been constituted against the background of a series of political events of extraordinary and far reaching significance. Therefore in all fairness the President's Address is to be viewed in the light of the political changes that have taken place in the country.

The result signifies in short the unshakable faith of the Indian masses in the parliamentary institutions and the democratic processes despite strong arm policies of the erstwhile Government to reverse them. It is nothing short of mass revolt against the tyranny of a thin caucus who

went in the name of the Government and who permitted the operation of extra constitutional powers at various levels. It was a silent revolt but conspicuous in its eloquence.

This is the inevitability of the process of history. We know that certain policy statements have been made by the Government and those policy statements are really in accordance with the mass movement in the country. Particularly I refer to the statements made by the Minister of Railways and the Minister of Communications wherein the wishes and aspirations of the working class, the labour leaders and the employees have been properly reflected in the matter of reinstating those employees who were dismissed or suspended because of the participation in legal trade union activity.

13.20 hrs.

[SHRI DHIRENDRA KATH BASU in the Chair]

We know that the new Government is riding on the wave of victory. New hopes and expectations have also been raised among the masses. This mass enthusiasm has to be further consolidated and strengthened. It is necessary that the Government of the day should take appropriate measures and specific and concrete decisions in the matter of ensuring popular involvement in policy making and also in administration. I am sorry to note that no mention of this aspect has been made in the President's address. I think this is a lacuna and this has to be taken note of.

I further appeal to the Government that such measures should immediately be taken whereby the people will feel that there will really be a change for the working classes of this country. The House knows that the agricultural workers of our country constitute an overwhelming majority of the working population. It has been the policy of the erstwhile Government to allow the State Governments to fix up the minimum wages for agri-

[Shri Chutta Basu]

cultural labourers As you know in many States the minimum wages for agricultural labourers have been fixed but in most of the States these minimum wages are not being given to the agricultural labourers This Government is committed to give effect to the Gandhian principles According to Mahatma Gandhi it is in the villages that India lives and the agricultural workers of our country, as I mentioned earlier constitute an overwhelming bulk of the working population I think the Government should take immediate measures to see that there is general implementation of the minimum wages for agricultural workers. Labour is a Concurrent subject I don't know why the Government cannot have laws of a nature which will also include enforcement of the minimum wages in different States in respect of agricultural workers and Scheduled Castes and Scheduled Tribes and Adivasis who have been subject to inhuman atrocities in the past In the President's address there is no specific mention of measures to safeguard their interests in their economic social and political life

The organised working class is happy to know that the Government is willing to amend the Bonus Act But it has not been specifically mentioned as to whether this amendment will be given effect to with retrospective effect Government should amend the Bonus Act immediately and restore the right to a minimum bonus of 833 per cent with retrospective effect with effect from 1975

Today during the call attention on political prisoners, some statement has been made but the statement is not specific and clear As far as my knowledge goes the State Government of West Bengal recently made a statement wherein it has been said that more than 6,264 political prisoners are still behind the prison bars in the State of West Bengal There

are various charges against them, there are undertrial prisoners There has not been any specific declaration of amnesty for the release of all political prisoners That is very necessary in order to avoid the legal complications I do not have much time to discuss that But it is well known and it should be known to this Government also that while these political prisoners were in jail many of them have been victims of oppression and to torture in jail many of them have also been killed while in jail and we have heard of built-up stories of killing on the plea of so-called encounter with the police There have been many instances of this nature It is for the Government of India to institute a thorough inquiry into the matter relating to the question of political prisoners and declare immediately an amnesty for the immediate release of all political prisoners

Certain points have been raised by the Leader of the Opposition as to the justifiability of the Forty Second Constitution Amendment I would like to remind him that, although they have the plea that the Forty Second Amendment has been made for the strengthening of the democratic fabric of our country it is our feeling it is our considered opinion that it was perpetrated only to perpetuate the one-party rule and to perpetuate the Emergency Therefore in the files of things, if they are really for the strengthening of the democratic character of our Constitution they should not oppose any move from the present Government for scrapping that Forty-Second Constitution Amendment Act

I would further request you to consider that there is a new situation now in the country The State Legislatures in different parts of our country, after the poll results, have got no moral or legal claim to wield the authority of the State There should be immediate elections in the States Unless that is done the Governments in the States will not have the confi-

dence of the people to run the Government

These are the few points which were lacking in the President's Address. Even in this late hour the Prime Minister or the other Ministers who take part in the debate can give these specific assurances to the House and to the country so that the people can feel that there has been a real change in our country and they can also have the feeling of meaningful participation in the governance of the country.

SHRI P. K. DEO (Kalahandi) Mr Chairman Sir, it was the biggest ambition in my life to see a non-Congress Government at the Centre and evolution of a two-party system so that the monopoly of power could be wrested from the ruling Party. If the history of evolution of democracy in this country is to be written this will find a place that as early as 1948 after placing all that we had at the feet of Mother India I and Shri R. N. Singh Deo raised the banner of opposition in the name of Ganatantra Parishad. I am alive today to see this unique spectacle but he is not here he is dead and gone.

In 1952 an attempt was made for the first time in the first Lok Sabha for the polarisation of the opposition parties in this House and the National Democratic Party was formed with Shri Shyama Prasad Mukherjee as the leader and Shri R. N. Singh Deo as the Secretary General.

For this magnificent election results, I salute the people of this great country who during this emergency in their typical characteristic manner endured all hardship and sufferings indignation and humiliation and waited for the appropriate time to undo the wrong and have manifested their vitality and maturity in putting a non-Congress Government in the Centre. This unprecedented, bloodless coup will go down in the history of the world as a magnificent achieve-

ment of the people. It had the unique leadership of Loknayak Shri Jai Prakash Narayan, to whom all my salutations go. Democracy has taken a firm root in this country and will be a permanent feature in our life.

The elections are over and the Government have settled down to business. I would like to remind you that in spite of minority of votes it is the Congress Party which managed to be in power for thirty years. If you analyse the voting figures it used to vary from 37 per cent to 42 per cent in favour of the Congress Party. But it is because of the multiplicity of the opposition parties that they could be in power for all these thirty years.

In all humility in the name of God, in the name of this ancient land Bharat Varsha and in the name of democracy I plead with our revered Prime Minister respected Babuji Sardar Parkash Singh Badal and the various other components of the Janata Party to eschew all the differences and to bury them and try to forge a viable alternative to the Congress Party and to form one Party under one discipline. This is because our experience regarding SVD Governments has been very bitter in the past. In Orissa we had the opportunity to share power with the Congress Party, the Jan Congress Party and the Utkal Congress three times but the Government did not run its full term. Taking all these facts into consideration I again request the various components, the various constituents of the Janata Party to forge into one party. Only in that case they can fulfil the aspirations and expectations of the people. The President, in his Address has rightly pointed out about the evolution of a healthy two-party system and I hope it will materialise in the near future.

In this old land a new era of freedom has dawned which was eclipsed during the emergency. There is no more the climate of suffocation, suspicion and suspense which in those days vitiated the premises of Parli-

[Shri P. K. Deo]

ment House and the Central Hall. The Central Hall which used to be humming with various activities and intellectual discussion had the look of a ghost house. The whole country was converted into a prison. We know that various atrocities and excesses had been committed by the then Government during that period. I take this opportunity to give a few examples which will provide a peephole to look into the ghastly panorama of the holocaust that was perpetrated during that period.

One Shri Parsuram Satpathi, a budding journalist and a youth leader was murdered in broad daylight in Bho'angir and he was crushed to death by the jeep of the Youth Congress and up to now the truth has not been brought to light.

Shri Sarat Chandra Singh Deo, an MLA in my constituency died in mysterious circumstances in the Inspection Bungalow of Rayaguda while he was on tour with the Estimates Committee and in spite of our request to the Chief Minister, nothing was done.

Shri Satya Prasad Mund, an innocent and respected lawyer of Bhavanipatna was put behind the bars because some RSS pamphlets were found at his place. Some students singing patriotic songs were put behind the bars as MISA prisoners. The crime they committed was that they were singing patriotic songs. Shri Natwar Pahan, MLA was detained under MISA had a heart attack in the jail and in spite of my request to the Chief Minister to release him at least on parole nothing was done. So in the shape of an amendment, I have made a request that an inquiry should be made into the excesses committed by the various Chief Ministers during the emergency and appropriate action should be taken against them.

The President has reiterated the pledge of the Government to remove destitution within a time limit of 10 years. To form a socialist and equal

itarian society we need not take a leaf from Engel or Marx or Lenin. We need not import the connotation of socialism from Moscow or Peking. India is basically a socialist country. Bharat is not a Bhoga Bhoomi, it is a Thyaga Bhoomi. The Isavasyopanishad of the Yajur Veda says

ईयं व स भिदय नव दत्ति चित् उ ददा गत्
तेन त्वको न मुञ्जीष ॥ गुह्य व स हि दधन् ॥

It is our good fortune that the Prime Minister is the embodiment of all those values for which India is great to day and I hope our objective would be achieved in the Gandhian way. I wish the Prime Minister all success and I sincerely hope that what has been mentioned in the President's Address will be achieved in the time schedule.

The President has not dilated in his speech regarding the various socio-economic programmes and the steps to be taken to remove disparities between man and man and region and region.

In spite of 25 years of planning there has been no impact on the western districts of Orissa even though that area has been endowed with vast natural resources. No employment opportunities have been created in spite of 25 years of planning and all the money has flowed to the coastal districts. Even peons, even clerks, motor car drivers and cleaners are being recruited in that area from outside.

Our demand for a second steel plant for which there was a Satyagraha before the Prime Minister's house in which Shri Biju Patnaik also participated should be implemented as soon as possible. It is our good fortune that the mantle of the Steel Ministry has fallen on his bold shoulders and I hope he will fulfil the genuine demand of Orissa.

Then, Sir, the Indravati project which will irrigate 5 lakhs acres of

chronically drought affected western districts of Orissa and also generate 600 megawatts of hydel power and which will go a long way to help putting up an aluminium plant due to the availability of high-grade bauxite ore there should be taken up. I stress all this because the Fifth Five Year Plan is going to be recast and with all humility I submit that this should be given effect to. In the shape of an amendment to the President's Address to the Motion of Thanks to the Acting President I suggested that it should be made mandatory for all Ministers and Members of Parliament to declare their assets publicly every year and to make them available for public scrutiny. I think Government will give thought to it.

Shri Morarji Desai was the Chairman of the Administrative Reforms Commission. Shri V Shankar was the Secretary and Shri H V Kamath was also the Member of the Commission. In the first Report they suggested that an Institution like Ombudsman, Lok Pal or Lok Ayukta should be installed soon to look into the people's grievances and complaints. As Shri Morarji Desai has become the Prime Minister he should take the first step to have the Lok Pal and the Lok Ayukt Act passed soon as recommended by him.

The previous Government never gave thought to this. This Bill was introduced. It continued for five years and ultimately lapsed. Taking into consideration all these facts I beg to submit that the Prime Minister should give a serious thought to this matter.

Lastly I would like to submit that we are going to submit our Election Returns. We all know that Election Returns which we have to submit will be a false statement because all of us have spent much more than what has been prescribed in law. So I would request the Law Minister to give a serious thought to this question that

all political parties should be registered under the Society Registration Act of 1860 and their yearly account should be audited and published within the prescribed period of one year from the date of election.

With these words I conclude.

SHRI NARENDRA P NATHWANI (Junagadh) The speeches on this Motion of Thanks centre round mainly on two points—bread and liberty. Both are essential. In fact they are complementary to each other. I shall deal with the question of liberty.

It is most gratifying that in his Address the Acting President referred to the urgent need of restoring rule of law and freedom of expression. He also assured the nation that a number of measures were contemplated to strengthen democratic functioning. He also referred to the need for restoring proper balance among the three organs of the State—Executive, Judiciary and the Legislature. This stress on democratic functioning is a corollary to the issue on which the elections were fought during the last month. What was the issue? It was a clear specific single issue, namely, "the people had to choose between democracy and dictatorship, dictatorship of the worst type. There can be dictatorships of an enlightened nature. But here it was of a fascist type. What are the essential characteristics of a fascist type of dictatorship? In a fascist type of dictatorship the chief is for one leader, one party and one banner, and the erstwhile ruling party had adopted the slogan, 'India is Indira and Indira is India' which represented one of these characteristics of Fascism. We have now known how internal emergency was declared on 26th June 1975. The promulgation was made. And only after that the Cabinet meeting was held and this step was approved. So it was a decision taken by one individual, namely the then Prime Minister of India. It was this issue of Emergency which was raised specifically in a pointed manner without any ambiguity before the electorate.

[Shri Narendra P Nathwani]

and they gave their verdict by an overwhelming majority in favour of the Janata Party and with Congress for Democracy. The Leader of the Opposition himself and the other day while participating in this Debate that people had rejected emergency and the attendant amendments of MISA and Pre censorship.

SHRI A. K. ROY (Dhanbad) I have got a point of order. The House does not have quorum. Both the Treasury benches and the opposition benches are empty. Nobody is there in the House. The debate should be discontinued. They should not neglect the speech of new Members. It should not be the case that only when important members speak everybody will be there and when new members speak, nobody will be there. It will be only discrimination. On this point I raise my point of order. I propose that this debate must discontinue.

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA) I respect the feelings of the hon. Member that all members should be present here. But during the lunch hour it has been the practice of this House not to raise the question of quorum.

So far as Treasury Benches were concerned Mr. Shanti Bhushan was here and he left only when I had come and resumed my seat here. We are taking note of whatever is being said here. I am sure my learned friend will see that when the debate is replied to on behalf of the Government all important points will be answered. However, I do hope that all the Members will be here. For lunch hour, you do not need the quorum.

MR. CHAIRMAN Anyway, if the quorum is challenged, the bells may be rung.

SHRI H. N. BAHUGUNA I said that there was no need for the quorum during lunch hours.

MR. CHAIRMAN All right. Let the hon. Member continue.

SHRI NARENDRA P. NATHWANI Sir, I heard the Leader of the Opposition to say that the people had rejected only the emergency. But, Sir, there were members of the erstwhile ruling party and some of them, both inside and outside the House, who still try to pass over, may even dismiss this verdict of the people by saying first that the defeat was due to some excesses committed by overzealous officials and then tried to find some scapegoats and in this connection references made to the high personages namely Sarvashri Bansi Lal, Sanjay Gandhi and V. C. Shukla. How far it is true, has to be examined by the persons concerned. It is not that a few isolated, casual, solitary instances were responsible for their rout in this election. Suppression of the freedoms and the democracy was resorted to systematically and in an organized manner. Not only the Leaders of the Opposition parties were taken in detention but some Members of the erstwhile ruling party in Parliament who were independent were also detained and thus the freedom of expression on the part of the ruling party members was also suppressed. We also know how the press was gagged.

We know that the press was gagged to a great extent. Let alone the members of the opposition who were detained under MISA but even the genuine hardships were not allowed to be published. I can give you instances after instances. Here I would only quote one to show to what extent the press was gagged. Sir, it was a case of a village in a part of Saurashtra, where people experienced scarcity of water. In 'PHUL CHHAB' published from Rajkot a news item was published that there was scarcity of water and people were experiencing hardship and that the authorities should look into it.

But the censor officer came down upon 'PHUL CHHAB' and told them

to take note that this was emergency and such news item should not be published. When his attention was drawn to the news item being correct, he replied that even if there was hardship such a fact should not be published even if the trains were not running according to time people would have to say that there was no delay and hardship because during that emergency there was to be no suggestion of any hardship suffered by people.

Sir there were also restrictions placed on holding of meetings. That brings me to my personal case. In September 1975 there was Maharashtra State Lawyers Conference in Bombay. Lawyers from outside Bombay were brought and given accommodation by the Government. A handful of lawyers from Bombay attended it and they approved of the emergency. I had gone abroad and just returned. I am a retired judge of the High Court and I decided to call a meeting—a closed door meeting—of the lawyers from Greater Bombay to consider in a constructive manner the civil liberties and the rule of law under the Constitution.

Sir It is interesting to note what happened? There was a notification issued at that time by Government prohibiting the assembly of five or more persons without the permission of the Police Commissioner. This was going to be a closed door meeting of lawyers only interested in the rule of law. That meeting was to be addressed by three persons—Shri M C Chagla former Chief Justice of Bombay High Court, Shri J C Shah former Chief Justice of Supreme Court and myself former judge of the Bombay High Court. I for sake of caution applied for Police Commissioner's permission. The Police Commissioner is a wise person. He saw no objection to this meeting being held but he knew the cabinet might not like it. Therefore he referred the matter to

the Cabinet—though he was not bound to do it. The Cabinet turned down my application. I took the matter to Bombay High Court. The matter was argued for 30 days before a Division Bench. Shri Jethmalani and Shri P. K. Khilwala argued the matter on behalf of myself and other petitioners. Ultimately the judgement was given in our favour permitting us to hold the meeting. The Government of Maharashtra preferred an appeal for stay which was granted by the Supreme Court. Technically the matter is still there. Personally I believe that in view of withdrawal of Emergency and the subsequent events that have happened that appeal would not be heard and it would be withdrawn. But what is to be noticed is that it is not a few isolated acts of excesses alleged to have been committed but it was a systematic programme and an organised comprehensive scheme to suppress liberties to terrorise the people and then to gag the press. The situation that prevailed at that time can be described in an Urdu couplet:

हम झट भी मरते हैं ता हो जत हैं खनाम
ब बल भी करते हैं ता जबा ही हाती ।

What I mean is this when democracy was smothered we the lawyers could not discuss it in a meeting which was to be addressed among others by Mr Chagla the ex Foreign Minister of India and other judges. We were dubbed as spreading sedition spreading treason and so on.

So Sir these alleged acts of excesses could not be passed over merely as stray examples. If the public has expressed its condemnation that condemnation is directed against Emergency and the reign of terror that prevailed during those 19 months. This does not mean that we do not believe in discipline. We know that law without liberty is tyranny. Liberty without law and order without discipline is chaos. This is well known. When we ask for restoration of civil

[Shri Narendra P. Nathwani]

liberties or rule of law. It does not mean that we want to encourage indiscipline. That must be made very clear.

Sir, yesterday a hon. Member from the opposite side said that progressive measures by way of financial reforms and by way of social and economic changes were thwarted by reactionary judicial system. I do not know whether that hon. Member knows about a full bench of 13 Supreme Court judges having been constituted in December 1975 to reconsider the principle laid down in *Keshvananda Bharti* case which said that Parliament could not amend the Constitution so as to abrogate the fundamental basic structure of the Constitution. At that time several judges of the Bench asked the Attorney General one relevant question: "Can you give us a single instance where a progressive measure—either economic or social—has been thwarted by the Supreme Court or by any of the High Courts?" No answer was given to that question. So, Sir, what is the use of indulging loosely in a statement like this that the judicial system has come in the way of economic and social progress?

14 hrs

Lastly, Sir, yesterday another hon. Member from the opposite side tried to compare the respect with which members of the present ruling party listened to the advice given by Shri Jayaprakash ji. Sir, we know the power that was exercised by Shri Sanjay Gandhi. He exercised extra-constitutional power. He had no position as such. His only qualification was that he happened to be the son of the then Prime Minister and the highest authorities, namely, even Chief Ministers are reported to have touched his feet and praised him sky high. How could you compare such a case with that of members of the ruling party—whoever may be the ruling party—listening to the advice or seeking

ing advice from men like Archarya Kripalani or Jayaprakash ji? Such analogy is puerile, Sir, with these words I support the Motion of Thanks to the President's Address moved by Shri Karpooji Thakur.

श्री जगन्मोहन शर्मा यादव (गाढ़र): माननीय मन्त्रिपति जी, मैं माननीय कपूर्जी ठाकुर जी के धन्यवाद ज्ञापन प्रस्ताव का समर्थन करने के लिये यहां हूँ। हमारे प्रतिपक्ष के माननीय सदस्य ने हमारे कार्यकारी राष्ट्रपति जी के इस अभिभाषण को बड़ा ही हल्का कहा। मैं इनका ही कहना चाहता हूँ कि मतभेदों के दोहरे देखने में छोटे गये घाव बरे गम्भीर। उसी तरह से यह देखने में तो छोटा है लेकिन जनता सरकार की ग. पूर्ण कार्यवाहियों का दिशा निर्देश करने के बहुत ही गंभीर है।

मैं चाँसेली सदस्यों को याद दिलाता चाहता हूँ कि जनता सरकार ने भान कम-से-कम इन्हें यह भावना दी है कि यह अपने भावों को सदन में और सदन से बाहर प्रकट कर सकें। आपात-वालीन स्थिति लगने के क्षण इसी स्थिति यह थी कि मन्त्रि-परिषद् के सदस्य भी यह नहीं जान सके कि आपातकालीन स्थिति की घोषणा होने जा रही है। और यह भी नहीं जान सके थे कि शिमला नारेण जो पाकिस्तान के साथ हो रही थी, उसमें क्या हो रहा था। वहाँ कि जानकारी मन्त्रि-परिषद् के सदस्यों को भी नहीं थी। लेकिन आज सोभाय है कि जनता पार्टी के शासन में इनको सारी बातें कहने की पूरी इजाजत है, छूट है।

आज सचमुच में प्रजातन्त्र का बहुत बड़ा उद्घाटन हो रहा है। इनके समय में रेडियो और टेलीविजन का सरकारीकरण हो गया था, सिवाय सरकार के और कोई दूसरी बात उस पर नहीं होती थी, लेकिन

आज आप देखें कि कल हमारे प्रधानमंत्री का संदेश उम पर प्रसारित हुआ और आज उसने इतिहास में पहली बार प्रतिपक्ष के नेता का भाषण प्रसारित होगा और टेलीविजन पर दर्शाया जायेगा। सचमुच में यह प्रजातंत्र का रूप है जो जनता पार्टी के चलते दिग्दर्शित हो रहा है।

ग्रेसी सदस्यों ने आपात स्थिति लाने के कारण यहां बताया है, मैं उनसे पूछना चाहता हूँ कि जिस समय गुजरात और बिहार में आन्दोलन पूरे जोर पर था, उस समय आपातकालीन स्थिति क्यों नहीं लगाई गई? यह आपातकालीन स्थिति तब लगाई गई जब तत्कालीन प्रधानमंत्री चुनाव में वैधानिक रास्ते से कार्ट में हार गई। जब कांग्रेसी सरकार के मारे मंत्री चुनाव हार चुके थे, सरकार गिर चुकी थी, तब सरकार जाते-जाते आपातकालीन स्थिति उठा गई। उन्हें ऐसा लगा कि आपातकालीन स्थिति के दौरान जो तत्कालीन विरोधी दलों के लाखों लोगों को जेल में डाला है, उसको लेकर वही अपना ही हथियार अपने ऊपर न चले जाये। लेकिन मैं जनता पार्टी की ओर से आश्वासन देना चाहता हूँ कि जतना पार्टी ऐसे कारणों को हाथ में लेकर किसी प्रकार में भी जनतंत्र का गला घोटना पसन्द नहीं करेगी।

सभापति महोदय, मैं कार्यकारी राष्ट्रपति महोदय से उस भाषण का उल्लेख करना चाहता हूँ जो इस सरकार का मार्गदर्शन करने के लिए दिया गया है। सबसे बड़ी समस्या आज देश की अग्रर खाई है जिसके कारण कांग्रेसी सरकार का ध्वस्त होना पड़ा, ता वह बेकारी की समस्या है। भारत का नौजवान बेकारी में परेशान होकर आजादी के आन्दोलन

में कूटनीति। सचमुच इस देश के सामने सबसे बड़ी ज्वलन्त समस्या बेकारी की है। हमारे कार्यकारी राष्ट्रपति जी ने इस सरकार का निर्देशन किया है कि 10 वर्ष में बेरोजगारी की समस्या का निदान किया जायेगा। मैं सरकार से निवेदन करता हूँ कि बेकारी के इस निदान की भूमिका बाद से जल्द तैयार हो, जिससे भारत की जनता के सामने यह सरकार की कार्यवाही प्रकट हो सके और नौजवानों को आश्वासन मिल सके कि सचमुच में जिस सरकार का बतान में उन्होंने अपना धून-पसीना एक किया है, वह सरकार सक्षम है और उसने कदम आगे बढ़ाया है जिससे बेकारी घटेगी।

कार्यकारी राष्ट्रपति जी ने कृपि की नीति के बारे में भी उल्लेख किया है। वास्तव में यह कृपक समाज और आनीष समाज ही था जहां पर कांग्रेस की जब की लेकिन 30 वर्षों के शासन में कांग्रेस ने कृपका की और आनीषा की उद्देश्य की जिसके कारण उस समुदाय ने कांग्रेसियों की प्रशंसा की। मारे कार्यकारी राष्ट्रपति जी ने कहा है, कि "जिसानी को अपने उत्पादन का उचित दाम नहीं मिला है, कृपि तथा सम्बद्ध विभागों के लिए विनियोजन बहुत ही अपर्याप्त है और भावा की स्थिति सुधारन की आवश्यकता पर बहुत कम ध्यान दिया गया। एक लाख से ज्यादा गावा में पीने के पानी जैसी प्राथमिक सुविधा भी नहीं है। मेरी सरकार रोजगार उन्मुख नीति अपनाएगी, जिसमें कृपि विकास, कृपि उद्योग, छोटे घर कुटीर उद्योगों को विशेष रूप से प्रार्थना दानों में प्राथमिकता मिल सके।

यद्यपि इन अभिभाषण में नीति निर्देशन ता दिया गया है, लेकिन सरकार

[श्री जगदम्बी प्रसाद यादव]

की कृषि नीति का अभी भी स्पष्टीकरण नहीं हो पाया है। सरकार अभी यह तय नहीं कर पाई है कि किसानों को उनके उत्पादन का क्या मूल्य दिया जाए। सरकार कृषि उत्पादन का अधिक मूल्य देने में हिचक रही है, मगर यह भी स्मरण रखना चाहिए कि कृषि के इम्प्लीमेंट्स के दाम बहुत बढ़ गए हैं। उदाहरण के लिए जो पा र टिल्लर पहले 4 या 6 हजार रुपए में बिकता था, आज वह 21 हजार रुपए में बिकता है। इसी लिए सरकार की नीति भी उतरदायी है। जो चीजें इम्पोर्ट की जाती हैं, उन पर 40 परसेंट कर लिया जाता है। इस के प्रतिरक्त 20 परसेंट उत्पादन कर और 3 से 13 परसेंट राप्ता का बिना कर है। इस प्रकार निरंक एक पावर टिल्लर पर 70, 75 परसेंट सरकारी कर हो जाने है। अगर सरकार चाहे, तो वह इसमें कुछ रियायत देकर किसानों द्वारा प्रयुक्त इम्प्लीमेंट्स को कम दाम 4-5 दे सकती है। खाद, बीजा और जीवनोपयोगी चीजा के सम्बन्ध में भी यही स्थिति है। सरकार एक तरफ तो किसानों के उत्पादन का दाम अधिक दे और दूसरी तरफ वह कृषि के इम्प्लीमेंट्स तथा जीवनोपयोगी चीजों के दाम कम करे, तभी दामों में कुछ तारतम्य स्थापित हो सकता है।

आज देश भ्रष्टाचार से पीड़ित है यह सबविदित है कि भ्रष्टाचार उपर से माता है, नीच से नहीं। मेरा आग्रह है कि इस सम्बन्ध में जांच समितियां बिठाई जाएं, जिस से उपर के भ्रष्टाचार का उन्मूलन करने का रास्ता प्रगल्भ किया जा सके। केन्द्र के पश्चात् प्रदेशों के स्तर पर भी जांच समितियों की स्थापना की जाए जिस से भ्रष्टाचारियों को

दंडित किया जा सके और अन्य लोगों को भ्रष्टाचार करने का साहस न हो।

जहाँ तक छात्रों का सम्बन्ध है, मेरा निवेदन है कि चूंकि उन्होंने इस सभ में दो वर्ष लगाए हैं, हम लिए सर्विस में जाने के समय उनको दो वर्ष वनडोल दिए जाएं। देश में, और खसकर बिहार में, जिला से छूटने के बाद उनके एडमिशन में कठिनाई हो रही है। इस लिए सरकार को उन लोगों के एडमिशन को व्यवस्था करनी चाहिए।

बिहार विधान सभा का भंग करने के लिए हर एक प्रजातान्त्रिक तरीके से आन्दोलन किया गया था। लाखों लोग के प्रदर्शन हुए, करोड़ों लोगों ने हस्ताक्षर किए, हड़ताल और बन्द का मार्ग भ्रमनाया गया। यह तथ्य है कि बिहार की जनता बिहार विधान सभा को भंग करना चाहती है। बिहार की 54 की 54 सीटों पर कांग्रेसी हार गए हैं। यह इस बात का प्रत्यक्ष प्रमाण है कि बिहार की जनता की वहां की सरकार पर भरोसा नहीं रहा है। इस लिए सरकार से मेरा आग्रह है कि बिहार विधान सभा को अविलम्ब भंग किया जाए।

SHRI VASANT SATHE (Akola):
Sir, I have been hearing with rapt attention the speeches made by the hon. members from the government side on the Motion of Thanks to the Vice-President acting as President for his Address. Let me say at the outset that although his speech is brief, the basic sentiment expressed by the Vice-President acting as President about consolidating democracy in this country and hoping that a two-party system will emerge is laudable. On economic policy to evolve a policy of decentralisation of agro-rural industry of doing justice to the rural class to the agricultural class, giving them better

price and all that all this is a laudable statement in his Address. The only thing that hurt me in the speech was a little sense of euphoria. That could be seen when in the very first page there was an attempt to condemn generally the previous Government and say that the verdict of the people of this country has gone against (a) proclamation of emergency by itself and (b) 42nd Constitutional Amendment. I beg to submit for your consideration and that of the House whether this analysis is really borne out by the facts. And immediately it is said that in the entire northern belt an avalanche, a flood, an earth-quake of resentment, discontent, dissatisfaction and anger of our people went against the Congress because of the excesses committed during the emergency. No one can deny that. And the Congress as our leader has said has to learn a lesson. If we do not, we will never be able to face the people again. So I agree that there has to be an introspection of looking within the heart by the Congress organisation. But when we try to analyse and say that this has been a vote against the proclamation of emergency under those circumstances to which I will come presently then we must remember that proclamation of emergency was for the whole country and not only for north and if the people were against emergency then people will have reacted in a similar manner throughout the country. Remember the other wave 1971 wave to which wave some of my friends like my dear friend Shri Bahuguna was a contributory and beneficiary and so our great leader Babu ji then in that wave on the call of garibi hatao on that promise on that assurance on that hope the entire country had reacted from Kanya kumari to Kashmir from Bombay to Bengal, from Goa to Gauhati the whole country reacted in the same manner except Tamil Nadu where the issue was local and not a national one. That one can say that the reaction of the whole country was the mandate of the whole country. It does not appear

to be that the resentment throughout the nation was against emergency. Some people say that it is against the 42nd Amendment. If that was so the people would have rejected the Congress on the 42nd Amendment throughout the country. But that has not happened. I am not going into percentages. What will be the conclusion? Why has North in such an unanimous manner rejected the Congress? The answer is simple i.e. the excesses committed in the North angered the people so much that it created a disgust in the minds of the people there. That is why it ran through the whole North. Therefore while analyzing the situation unless we have a correct diagnosis of the disease throughout the country we will not be able to provide a proper remedy. So I will plead with my friends on the government side to consider that the resentment is not against the 42nd Amendment by itself as our leader has said. If there are any defects in the 42nd Amendment—e.g. to-day there was a proposition debated—and if you want to come forward with any concrete suggestion which does not militate against the fundamental proposition viz. of supremacy of Parliament we are willing to consider and cooperate. Let us say this very frankly. Our attitude to cooperate with the government is there because we feel and we sincerely hope that here is an opportunity where a democracy of a two-party system can get consolidated. And that is why we are in earnest to cooperate. But for this cooperation the climate must be. This cooperation requires two hands. Cooperation must be on both sides. It is never one-sided. There must be eagerness on the part of the government also to have cooperation. Otherwise when we say "we will cooperate" if you say "Who cares for you?" how can we cooperate?

In the very breath of offering cooperation no one from our side has said "Forget and forgive." I do not know whom you are quoting. I have not known anyone saying "For-
 25"

[Shri Vasant Sathar]

forgive and forgive. Yet I find speakers after speakers on the other side saying 'No. We are not going to forgive. We are not going to forgive. What do you talk of forgiving?' Can we forget the atrocities, can we forget those who died in jails, can we forget those whom you have shot here in Turaman Gate? We say 'Please don't forget.' Therefore don't also forget the past. I would like now to quote something about the attitude of not only a person—I am thankful that the hon. Prime Minister has come just at the right time. I do not want to say something behind his back. When we say 'don't forget, don't forget the attitude of our worthy Prime Minister towards firing, killings and shoot-at-right.' You Sir will find this in his autobiography volume one page 235—at that time he was the home minister of Bombay State. I quote

During this period, a communist labour union had created a disturbance in Amalner city and the police had resorted to firing while suppressing the disturbance. 3 or 4 persons died during the police firing."

Then in the next paragraph it is stated thus:

"The Maharashtra Provincial Congress Committee and its president demanded a public enquiry into the firing at Amalner. The communists and some others had already made such demand."

Another quotation

"If the police whose work on such occasions was difficult, were not given protection then those who created disturbances would get encouraged and succeed in their mischievous aims. If the police became demoralised it would be almost impossible to control such disturbances. I therefore refused to take any further action in the matter."

The agitation for an enquiry, however continued and the Pradesh Congress Committee obtained the support of Shri Jawaharlal Nehru and Sardar Sahab. Both of them wrote to Balasaheb in this connection. Sardar Sahib had written to say that as many people were asking for a judicial enquiry we should think of getting such an enquiry made and as the police were not at fault at all there was no reason to worry about the results of the enquiry. Balasaheb felt rather worried and asked me what his reply to the leaders should be. I said that there would be only two possible solutions in this matter. He could either write to Delhi that such an enquiry was not proper as it would cause a great deal of damage, or alternatively I could resign and let him make an enquiry."

Then, at the end of this he says

"On receiving this letter, Jawaharlal and Sardar Sahab informed us that they had no intention of interfering with our right to take decisions in such matters and that they only wanted to tell us what had come to their notice. They, therefore said that they would leave the decision to us."

There were many other unpleasant occasions when firing had to be resorted to while quelling anti-government disturbances during my tenure as Home Minister in Bombay State up to 1956. But after this incident the Central Government did not make any suggestion for an independent judicial enquiry."

Then came the famous occasion of Sanyukta Maharashtra Agitation in Bombay and our worthy Prime Minister was then the Chief Minister. In that firing according to him, 84 persons were shot and killed but people say that 100 persons were killed. I will not go into that. But what were the facts? I will quote Shri C. D.

Deshmukh, not known to be biased or partial, progressive or reactionary I am quoting from page 819 of the debates of 25th July 1956, where Shri C D Deshmukh says—

"There is evidence to show that they were instructed by the Chief Minister to shoot at sight and to shoot to kill, that the deliberate use of tear gas before intended firing brought out women and children from their rooms choking for breath, only to be shot down by the indiscriminate firing of the police, using tommy guns, firing several rounds to the second, that there were 2,500 rounds fired, resulting in 80 persons dead and 450 injured, that the police injuries through stones and acid bulbs were insignificant and not contemporaneous with the firing episodes"

I would further like to quote on this very occasion a speech, when an enquiry was asked for, and Shri Morarji persistently refused even to hold a judicial enquiry into those killing, when the matter was raised in this House, when Shri V N Gadgil had spoken on this subject. I am quoting from page 468 of the debates of 21st February, 1956

I quote

"When I read this morning that the Chief Minister stated that there was a plan to overthrow the Government and to take the city by force, though he has not named by whom, I felt it was a serious statement. If that is true, then in the interest of the public and in the interest of the future of this country, it is necessary, that an enquiry by, or presided over by, the highest judicial authority in this country should be instituted"

Then he further goes on to say—

"Now, was there a real plan? If there was a plan, when did the

great Chief Minister of Bombay discover it? If he discovered it after the incidents took place, then surely it is no testimony to the efficiency of his police"

Further on, he says

"In his second statement, he has said that there has been no indiscriminate firing. I have here a newspaper, the copies of which have been, so far as I know, taken possession of by the police in Bombay, and in which the names of 69 persons occur and a description is given as to how they received these wounds. Out of these 69, the Lok Sabha will be surprised to know that 23 are non-Maharashtrians. There are Sikhs, Gujaratis, Marwaris and there are people from other communities. The nature of the wounds and the place of the body on which the wounds have been received have also been mentioned. The wounds have been received from the eye to the toe. They have received wounds while on the street while they were in the room and while they were on the terrace. They range from a boy of 14 to an old lady of 64"

Therefore when you say "don't forget", we also say to you "don't forget"

If a Chief Minister feels that there is danger of a city being taken over and therefore he can order shooting at sight indiscriminate shooting by the police, killing people who can never go back to their families as the 14-year old boy, then if there is danger felt to the whole country, to the Capital. (Interruptions) The Prime Minister is going to reply at 3 O'Clock. Have some patience.

The assessment of the previous Prime Minister might have been completely wrong. You can make that allegation. I am not questioning your right. All I am saying is that when allegations of mala fides were made

[Sri Vasant Sathe]

against him he held his ground saying that he thought that there was danger to the city and therefore they resorted to firing. I think he will stand by that action, unless he has changed his mind.

THE PRIME MINISTER (SHRI MORARJI DESAI) I have not

SHRI VASANT SATHE I know you will not, you said it at a public meeting also

Can you in the same breath say when a call is given at a rally of five lakhs at Ram Lila Maidan to people to go and surround the house of the Prime Minister

SHRI MORARJI DESAI That is wrong.

SHRI VASANT SATHE and asking the police and the army to disobey what they consider to be unlawful orders (Interruptions)

Yesterday when Mr George Fernandes was speaking we kept quiet. Now you should have at least the courage and courtesy to hear me. You may not agree with me. If the police and the army should not obey orders which they at least considered as unlawful, who will decide? (Interruptions) I asked the great leader Morarji Bhairi who was also the Home Minister who was to decide about it. Can the police decide about the order given by the 'superiors as illegal? If when he gave his order to the police to shoot at sight in Bombay were the police to say that they would disobey it could he have agreed? We must have some standard. Here was a situation in the country in the background of what had happened in Gujarat where the elected legislators were forced out in the name of some samitis. This was followed by burning rails and disturbing meetings by throwing stones. I myself have been a victim of stone throwing in Gujarat. I would have been killed but for the fact that

that store just missed the mark. (Interruptions) I therefore submit for your kind consideration that this was the background of the action on 25th. The background of the situation under which action was taken on 25th which was rejected by the people has no bearing for emergency as such. It was for the excesses committed in a particular part. That is a fact and we agree. Now I come to our great leader Shri George Fernandes (Interruptions)

In Madras while speaking on March 27 1974 Shri George Fernandes exhorted railway men

SHRI MORARJI DESAI May I know what is the time limit? (Interruptions)

SHRI VASANT SATHE Shri Raj Narain spoke for about two hours. Shri George Fernandes also spoke for some time. You cannot give me 30 minutes? (Interruptions)

I will quote this and then finish. (Interruptions)

SHRI S. KUNDU (Balsore) On a point of order

SHRI VASANT SATHE You quote the rule under which you rise to a point of order

SHRI S. KUNDU I draw your kind attention to (Interruptions)

I am raising a point of order (Interruptions)

SHRI VASANT SATHE He must formulate a point of order

MR. CHAIRMAN You have already finished your speech (Interruptions) Therefore he cannot raise the point of order now

SHRI S. KUNDU The Janata Party will give maximum opportunity to the members of the opposition to speak here. The Janta Party is proud that the right to speak is restored to them.

I want to say one thing What I have been observing from yesterday is that when you are in the Chair, sometimes I find that some people speak for 45 minutes to an hour Today the Deputy Speaker specifically gave the ruling that no Member should speak for more than 5 or 6 minutes so that most of the Members could be covered I find the hon Member Mr Sathe is speaking for quite some time Sometimes he is quite irrelevant You are giving him so much time (Interruptions)

SHRI VAYALAR RAVI (Ch rayin kil) Let them study the rules first and then raise points of order It is our time, it is not their time (Interruptions)

SHRI VASANT SATHE I am concluding

I was quoting Mr George Fernandes He said,

'Realise the strength which you possess Seven days strike of the Indian Railways will cause every thermal station in the country to close down A ten days strike of the Indian Railways—every steel mill in India would close down and the industries in the country will come to a halt for the next 12 months If once the steel mill furnace is switched off it takes 9 months to re-fire A 15-day strike in the Indian Railways—the country will starve'

Then, in an interview with "Der Spiegel" published in its issue of 12th April 1976 Mr George Fernandes admitted that he had built up an underground organisation and that his supporters were engaged in sabotage and other subversive activities He said

"I am totally in favour of violence against things In November last, in the Union State of Karnataka alone, we had caused derailment of 52 trains We have created some unrest."

He continued to say.

"All forms of struggle including satyagrahas, strikes, sabotage, guerrilla action is legitimate."

This was the belief They wanted to paralyse the transport, create situation similar to one which was created in Chile and bring about the collapse of the Government You know what happened in Delhi after this and whose hand was behind With a situation similar to that of Bangladesh, what democracy would have survived in this country? Therefore I would say, don't forget and don't forgive, let us not concentrate on the basic reconstruction of this country, don't do all this all that you have to do now is to keep on harping on one thing—Atrocities Atrocities

14 45 hrs

[KUMARI ABHA MAITI in the Chair]

I congratulate you, Madam. At least one lady here could take the Chair. In the light of the attitude of Mr Morarji Desai who reiterated to the ladies today that he does not consider any woman worthy of holding any high office I don't know how you are there'

MR CHAIRMAN Please come to your point

SHRI VASANT SATHE I am coming to it

I will be very happy when the Janata Party comes into existence Today there is no Janata Party Today the Janata Party is an embryo it is still in conception A conception of 19 months in jail is a good conception. And now, you have also named the baby which is yet to be born. We don't know whether this baby, the Janata Party, will be a girl or boy, but we are very happy

MR CHAIRMAN You have taken more than half an hour (Interruptions)

SHRI VASANT SATHE There is nobody else from my side, I am the only one. The Prime Minister is to reply at 3 O'clock so there are still fifteen minutes.

MR. CHAIRMAN But there are others yet to speak.

SHRI VASANT SATHE I have only one point more.

The Janata Party is yet to be born. I wish it will be a good and healthy baby. Because of the type of people who have come together I am not sure whether the Janata Party is really going to be born at all. Therefore, I offer all my good wishes to the Prime Minister to have this baby and to have this Party. I hope you will concentrate hereafter on constructive side and not keep on repeating 'nineteen months of atrocities and forget all your own atrocities of the past. Everyone has skeletons in the cupboard including my friend Mr. Patnaik. Therefore don't harp on these things. It does not pay. Concentrate now on construction and cooperation. (Interruptions)

I thank you very much for giving me this opportunity to speak.

SHRIMATI RENUKA DEVI BARKATAKI (Gauhati) Mr. Chairman, I rise to support the Motion of Thanks that has been so ably moved by my hon. friend, Shri Karpuri Thakur, and also equally ably supported by my hon. friend, Shri Hegde. I am sure that all sections of the House will join with me and support me when I say that the Acting President's Address was delivered after the most momentous election that we had since the independence of our country. The election which we have just had was an election which we should remember. The Opposition as well as the ruling Party feel that the election is free and fair only if both sides get equal op-

portunity for mobilising public opinion, for placing before the people their policies and programmes for public scrutiny. But in this election, the Congress Party had done whatever they could. The abrupt and sudden announcement of the election put the Opposition in trouble. The sudden detention of hundreds and thousands of people as political prisoners put us in trouble. But actually what we have seen is that, in this election, the people have given their massive verdict against the Congress Party.

The other day when Mr. Chavan, Leader of the Opposition, was speaking in the House—I heard him with great respect and expectation—he was telling us that the Congress had learnt its lessons. But his very speech bore testimony to the fact that the Congress has learnt nothing from the stunning repudiation with which they have been removed from power. He said that this repudiation and failure of the Congress Party was because of Emergency, that the people did not like the Emergency. Mr. Sathe was also telling us that it was because of the excesses of Emergency that Congress had been removed from power in northern India. The Leader of the Opposition, Mr. Chavan, was telling us that it was because of Emergency and that was why the Congress ended the Emergency. It has amused me. I would like to ask my hon. friend whether the Congress ended the Emergency of its own accord or they had no option but to end the Emergency in the face of the massive verdict of the electorate when they were thrown out from power. That is why, they ended the Emergency. They waited till the moment Shrimati Indira Gandhi was defeated in the election then only, they ended the Emergency. It amused me very much when Mr. Chavan wanted credit for ending the Emergency. He is now Leader of the Opposition. I know him very well. We have worked together for 15 or 16 years, Mr. Morarji Dasai, Mr. Chavan and some of us of this side were all in the Unit-

ed Congress Mr Chavan said afterwards that Emergency was not a part of the Congress tradition. I did not know that the hon. Leader of the Opposition could use this type of euphemistic phraseology. He was never using such a phraseology earlier, his language used to be very simple straightforward and truthful. But now he has started using euphemistic phraseology—Emergency is not a part of the Congress tradition. Why? Is it because he wanted to cover up the enormous guilt of his party? Is that the reason why he has used this euphemistic phraseology? We all know what Mrs Indira Gandhi and her Government were doing during the Emergency. Mr Sathe was telling us 'oday that Emergency was not repudiated all over India because many Members from the South have got elected from Congress tickets there was no uniformity all over India. Mr Chavan wanted to tell us that they were not responsible for Emergency. It came as a dark cloud on the sky and went off on its own as if the Congress Party had no responsibility as if Mr Chavan, Mr Sathe, Mr Brahmananda Reddy and Mr Harendra Desai had no responsibility for the declaration of the Emergency.

SHRI VASANT SATHE Who said?

SHRIMATI RENUKA DEVI BARKATAKI You have said it.

SHRI VASANT SATHE I never said that. We accept the responsibility for Emergency. But the verdict of the people is not against Emergency per se. (Interruptions)

SHRIMATI RENUKA DEVI BARKATAKI Shri Chavan tried to give an impression as if he and his party had no responsibility in declaring the Emergency as if he and his party had no responsibility in permitting an individual to cling to power as if he and his party had no responsibility in removing the right of the highest organs of the judiciary to examine whether the declaration of the Emer-

gency was warranted in public interest, for the preservation and of the security or integrity of our country, as if he and his party were not responsible in snuffing out our fundamental rights in arresting and detaining hundreds of thousands of citizens from all professions and walks of life, as if he and his party were not responsible for lawless laws that would have put even the worst of dictatorship to shame as if he and his party were not responsible in snuffing out the freedom of the press and trying to convert all mass media into instruments for the suppression of truth and the propagation of falsehood, for the propagation of the personality cult and the cult of the dynasty as if he and his party were not responsible for subjecting hundreds of innocent non-violent dissenters including women and children to brutal and inhuman torture as if he and his party were not responsible in snuffing out the rights of the trade unions as if he and his party were not responsible for eroding the role of the judiciary to afford protection to the rights of the citizens for legislating to put a person above the law and for eroding the Rule of Law. In short Shri Chavan wanted to give an impression as if he and his party were not responsible for concentrating all power in the hands of an individual and extra-constitutional coterie of courtiers and heir-apparents. They wanted to give an impression that Congressmen had nothing to do with all these things but in fact they are responsible for all these things. Hundreds and thousands of people were put behind the bars and it disturbed the normal lives of many people. Shri Reddy was the Home Minister then. Can he tell us what for those people were arrested and put behind the bars? Tell us why I was arrested. What was the crime that I had committed?

The Congress Party was in power for thirty years. The people have given a massive verdict now in favour of Janata Party. We have now come

[Shrimati Renuka Devi Barkataki]

to power with a massive mandate of the people. The people have asked us to form a Government and they want a clean administration. It is through a silent revolution that they have sent us to power. We hope that the Government formed by our Party will be loyal to the objectives for which we have been returned to this House.

THE PRIME MINISTER (SHRI MORARJI DESAI) Madam Chairman while replying to the debate on the President's Address I would like to take care to see that I am not provoked into using a language which was used by my hon friend Shri Sathe or even by the hon the Leader of the Opposition. I do not want to set a wrong example from this side of the House. But, if members of the Opposition make provocative speeches and if replies are given to those speeches by members on this side I do not think that there can be any legitimate cause for complaint. It would only be proper if neither this side nor that side uses any derogatory language against anybody or nobody makes inchantable remarks which are not consistent with anybody's self respect. That is what I would beg of all the members of this House to do. I hope I will not fail in setting an example in this matter.

I was therefore pained to hear the Leader of the Opposition comparing Janata Party to a strange animal. I wish he had not used those words. I do not want to retaliate. We are all strange animals in one sense. Ultimately we belong to the animal species. But man is different from an animal in the sense that man has more discretion and intelligence which animals do not have. But if we forget that, then we relapse into animal terminology. I hope that will not be done in the future. That is all I beg of him to do.

I was also surprised because even in spite of his experience of many years as a member of the government that he should have used such language. The new experience he is now having of sitting on the Opposition Benches for the first time in his life is rich experience which I had some time ago and by which I benefited and I am sure he will also benefit but it will take some time for him and his colleagues because they are not very easily corrigible. They do not follow the system of self-inspection. That is where the difficulty comes in. I hope they will do so now. Then the improvement will be quick. But who am I to improve them? It is not for me to do that. It is for them to think about it.

But I was surprised when he said that nothing was said in the President's Address about the economic programme. I do not know whether he cared to hear it or to read it afterwards. We have very clearly stated what the policy of government will be in regard to economic programmes. Does he realise that we hardly got even 2 days to prepare the Address after assumption of office and in that did he expect that we formulate detailed programmes? I do not know if he has the capacity. At least I do not have it. But we have mentioned what requires to be done and what we are going to do. We will be judged only by what we do in future and we will certainly welcome all criticism in this matter if we fail in our undertaking and we will not try to retaliate as they are trying to do. And yet it is said that we are retaliating. Where are we retaliating? At least I have not done so. I was surprised when my hon friend Shri Sathe or rather I should not be surprised because I know him very well.

I have never heard anything else from him in this House during the years he was here and I was on the other side. What he referred to had

happened 21 years ago. He is not bothered about what happened 21 months ago but he does not mind mentioning and repeating ad nauseam what happened 21 years ago. I have replied to him in this very House from the Opposition Benches and let him refresh his memory from the records of this debate. I will not therefore reply him here. I have said what I have to say not on one occasion but on several occasions and still he goes on repeating these matters after 21 years in the knowledge that he is not distorting facts.

He quotes from my autobiography. I am very happy that he did so for the honour of reading it at any rate. But I am sorry that he has only looked at some controversial points which have little relevance here and he did not have the courtesy to read the whole thing together. Apart from that it would be wrong for me to say that he mis-appropriated the time of the House. He went on speaking even though the Chair asked him to cut short his speech. But then he objected to other people interjecting whereas some Member on this side spoke he began to interject. Is that the way how he will set a good example? May I request him to have more patience now as he is in the Opposition. I could not restrain him before nor do I wish to restrain him now. It is difficult for anybody to restrain him. Even it was not possible for Mrs. Gandhi to restrain him when he spoke from this side. I know that he spoke anything that he liked. Let him do so. It will hurt him. It does not hurt me. But in this House if I do likewise will not somebody be justified in paying me back in the same coin? How would I complain about that? But he goes on complaining about us.

SHRI VASANT SATHE I quoted facts. I quoted from the debate.

SHRI MORARJI DESAI I do not know whether my hon. friend has any regard for facts. Does he ever bother about facts? I do not know.

SHRI VASANT SATHE You said, "Do not forget? Let memories be sharp."

SHRI MORARJI DESAI Now he is getting excited like that. He complains about people having been shot in Bombay. I had said he does not bother about facts. That is all right. Why restrain him if he does not wish to restrain himself?

Does he realise that in Bombay all the Members of my party the majority of whom were Maharashtrians, never raised a protest before me about what had happened in all those years. Was that not a sufficient support for what had happened? He was nowhere at that time. Twenty years ago I do not know what he was and what he was doing. Let him learn a lesson from that as also from the leader of the Opposition. Let him ask him whether he had told me that I had done wrong. Then he will be justified in saying what he is saying. Therefore what I did at that time was not done without pain. But I was forced to do that. That is the police were forced to do it. It was not that I went and gave orders. Of course it is true that if I had said that no police man would have fired. Then no one should have fired. That is true.

I do not deny that responsibility. But what had happened then? The whole of the Bombay city would have been finished. Nothing else would have remained in Bombay city if it had not been done. Who did it? It was done by the Maharashtrian officers. It was not done by anybody else.

See what happened in Delhi. Who burnt it? Who bulldozed it? It was the Administration of the past Government which did it. I do not want to say that the former Prime Minister did it. I do not know who did it. But it was done in her regime. Therefore, that regime has to be blamed. The buildings were bulldozed without any

[Shri Morarji Desai]

proper notice. Notice of a few hours! Is that the way to deal with the people? Have I ever dealt with like that? I am sorry my hon. friend tries to compare these happenings with the happenings of emergency Delhi was burning. How did it happen?

I am glad he recognised it that there was a meeting attended by five lakhs of people. Of course the police report at that time was that it was attended by only 50,000. I am glad that that knowledge has dawned on him today that they were 5 lakhs. But what does that show? That shows the feelings of the people and the feelings of those who attended otherwise they would not have attended it. We were not in Government. We were non-officials. How would people have come there? We had no money to bring them in trucks. They came on their own and they heard us patiently. And it is objected to on the ground that we declared Satyagraha there. Does he understand what Satyagraha means? I don't know whether he has ever practised Satyagraha. I don't know whether he is capable of practising Satyagraha. Satyagraha does not mean that any force can be used by anybody. I would be the last person to do it. If anybody were to do it I would certainly protest about it. He referred to Gujarat happenings. Who were responsible for those happenings? It is these Congress people, not the opposition, who have encouraged them and gave money to the young people. Who protested about it? I protested and said that they should never do any wrong thing and if they persisted then I will have to sacrifice my life. And it was therefore that I undertook a fast to stop violence and to stop other things also.

15.11 hrs.

[MR. DEPUTY SPEAKER in the Chair]

Therefore it is not for my learned friend to advise me. I only hope he

takes a lesson from this. That is all that I hope. I do not know whether my hope is too much. At any rate one could hope for the best and be prepared for the worst!

Let us not, in our anxiety to defend the indefensible, say things which unnecessarily cause repercussions. When he said that people were fired upon like that, does he recall that Pandit Jawaharlal Nehru phoned to me that very evening when the riot started in Bombay and asked me to call the military to call the tanks but asked me to finish it as quickly as I can. I told him, I am very sorry. I won't call the military. If I had called the military the casualties would have been five times of what they were and the people would have lost their morale. I did not want to use maximum force. I wanted to have minimum force. I told him that if I was not able to control it in two days I would resign and get out of Government but I will not call the military. This is what I had told him. Therefore please be careful about what you say.

After all I would not find fault with any Government if they meet violence with force. I would not find fault with any Government for that matter. I would not find fault with the present Government. Government has to use force to suppress violence. I have always said that I will say it even now. But when there is no violence why should force be used? I cannot understand this. These are the standing instructions. They were the standing instructions when I was there and even now when I am here.

There was a strike going in Madras the other day soon after we took charge. The Governor phoned to me. They said, they are doing dharnas, not allowing people to do their work. I told him if they do it and there is no violence don't use any force, no tear gas, no lathi-charge. You can arrest them and prosecute them. These are the instructions which I gave. These

are the instructions of this Government

But if some State Governments which are not under our control do something I will not be responsible for it. But we will certainly take action to see that that does not happen. That I can certainly assure you.

Then the hon. the leader of the Opposition said—that we had not mentioned any programme. I would refer him on to page 3 from the second paragraph onwards. The programme has been given. But, does he expect that we can spell it out immediately? Did they spell it out their Twenty-point programme? They only said twenty-points and like mantras they went on repeating all the while and nothing was spelled out. I have no objection to any of them (interruptions). They said twenty-five and then it became twelve in their manifesto. That is the tragedy of it. What is the use of saying all these? I have gone into it very deeply. I do not neglect whatever comes from you. I want to benefit from it if I can. That is all I would like to add.

Therefore Mr. Deputy Speaker Sir, I would only beg my friends to have more patience in this matter and not to compare the Janta party to a strange animal. I hope more restraint will be observed in future. That is all I expect. If it does not, I shall go on using restraint from my side. That I can assure him. We have started implementing our professions and the Leader of the Opposition will be broadcasting to the nation to day. He did not ask for it. We have requested him to do it. Is that not true?

This is what we are going to do. Indeed I have mentioned and I can assure my hon. friend Sri Sathe also that if he has any complaint about any administrative actions resulting in any oppression, I would request him to tell me. I can assure him that all grievances capable of redress would be looked into. That is the attitude of this Government in the matter of law and

order in the matter of economic order, in the matter of social order and in the matter of administration. We have mentioned all these things. But we cannot put details into that address. That is what ought to be appreciated. They wish that the Janta party will break up—this is what the Leader of the Opposition said that the Janta party will break up in no time and that it cannot last. If wishes were horses, then everybody will ride on them. It is not possible. As a matter of fact it is the wrong desire that leads to the down fall of the people. That has happened. That is the tragedy of it.

Let us take a lesson from it and not have wrong desires. After all, how will it benefit the Opposition? If he thinks that the two party system should function and if it is good for democracy should we not wish that this should last? If you defeat this party legitimately when the occasion comes I will not resist. Even if they so desire the Jan. party will not break up. I do not know what will happen in the future. But I only hope and trust that this wish will not be fulfilled. This will not benefit him at all. He said that they have been defeated. It is true that the people declared themselves against the emergency and therefore they had been defeated. If we had not won then how are we here? I do not know if the people did not prefer us to them, how would we have got the votes? I cannot understand this which is such a simple matter. I never thought that he was not using his commonsense in this matter. I am afraid if his desire is to see that the Janta party goes out, he will be in possession of office. This is an indiscreet statement. That is all I can say.

Sir, as long as the Jan. Party is in Government we will see to it that we will establish democratic traditions by our behaviour not by asking other people to do it. If our performance falls short of the expectations, I shall be thankful to the leader of the opposi-

[Shri Morarji Desai]

tion to point it out to me or for that matter any member of the opposition can point that out to me so that we can improve upon it. No man is wise enough not to learn from others. And that was the fault committed by the previous government. That was the fault committed and I may be pardoned if I say by the then Prime Minister if that had not happened then all that happened would not have happened. But whatever happened is for the best in my view. If sufferings come they come to chastise us. And it is then that we can improve. Even three years ago I told my friend that what is happening is for the good of the country. This country would not have learnt a lesson until it suffered. We got freedom very easily because of Mahatma Gandhi. I have always felt that we did not pay sufficient price and therefore, this country did not realise the value of freedom. We had to pay a price. We have paid that price during the last twenty months and I hope we will not have to pay a further price now. At any rate we will see to it that we will not extract any price from the Opposition. Let me assure the Opposition. That is not our intention to do so. If any price is to be paid we will pay it but we will not make others pay it. That will be our attitude in this matter. What do we want? I am quite sure our aims are common. I do not doubt that they also want to see that this country becomes great, happy, strong and to help the human society to be happy. That is our aim. I am quite sure the aims are common. But aims may be anything. Unless the means are pure nothing can be free from blemish. That is what the Father of the Nation taught us. It is possible that we will make mistakes. After all, we are not angels nor can we say that we have no faults. All have faults. But let us not try to take advantage of faults of each other but try to help each other in removing them. If we do that, I am quite sure the future of the country is very good. I have no doubt that it has been my faith for years that

this country cannot go down. It is bound to go up and become happy and in the terms of Mahatma Gandhi, it would establish "Ram Raj". If that happens in this country then we will be able to be of some service to the world in creating those conditions by our example. We do not have to advise other people or to give sermons to other people. It is enough if we serve ourselves by promoting peace and goodwill in the world. Well, that will be our foreign policy. Of course there is difference in the foreign policy of non-alignment. Non-alignment must be there. It is not a policy which is in doubt but sometimes aberrations enter in that policy. We will try to see that aberrations will not come. That is all that we can say. I don't say that formerly aberrations had come deliberately or by mischief. That is not my contention at all. But I would say that in human efforts sometimes weaknesses do come. We have got to guard against them and that is what we are trying to learn by experience.

Non-alignment can be practised only if there is freedom from fear and fortunately this country passed through such fears in the last twenty months that I can never compare this condition to any other conditions in the history of this country. But we have got to live it down. We have got now to see that such fear does not recur again in this country. We must have freedom from fear in this country.

Otherwise we will not grow at all. If anything has plagued us in this country, it is this fear which has plagued us and it is that which comes in the way of development on all sides. Unless we are able to restore this freedom from fear in this country, all our efforts at development are not going to succeed and in that common endeavour of removing that fear I would appeal to my friends in the Opposition to help us in seeing that fear is removed from the minds of the people at large. But that can happen only when we ourselves shed fear. We are not afraid if we have to go out of this Government. That was the

fear from which the past government suffered it was therefore that emergency came otherwise emergency would not have come. And my friend the Leader of the Opposition has said that this was a vote against emergency. Can there be a greater criticism of it than that? And who had supported the Emergency very strongly? He himself. But I suppose he was not free to do otherwise. It is that freedom which we want to restore to everybody not only here but to all of you. This is what we would like to do. There will be no democracy unless there is freedom from fear and it is this which we have got to restore and everything that we have will be directed towards that end.

Therefore I want my hon friend Shri Sathe to be free from fear. But I also want him to be free from bravado. Bravado does not give fearlessness. It brings for him more fear. Therefore may I suggest to him to see this. If he does not wish to see it, I shall have no quarrel with him. I have not considered him as anything but a friend. I know that when I was in the Opposition benches he was talking to me very freely. But when it came to speaking here he spoke in a different language. Now this is what we ought to avoid. I know he will want to say one thing and then say another thing. Even now in his speech here I saw that He respects me and also condemns me. Both things are done.

SHRI VASANT SATHE Is it not freedom from fear?

SHRI MORARJI DESAI This is not freedom from fear. This is freedom from truth. Therefore let us be more careful about it. We ought to be more careful about it that there should be fearlessness in practising truth. If that is not realised, I am afraid we will never acquire freedom from fear.

I do not want Sir, to take up time of this honourable House because I do not see there was much criticism of what is done because there is not much done yet. Things are being done. Therefore how can there be much criticism? The criticism is only in the air and I have nothing to reply about it. I have only to appeal to my hon friends to see that we work together in cooperation. That does not mean that they should not criticise us. We welcome every criticism that you make. But let us make in such a manner that we don't hurt each other. That is all my request. Sir, Thank you.

MR DEPUTY SPEAKER Now no question will be replied.

SHRI O V ALAGESAN (Arkonam) I am on my legs Sir.

MR DEPUTY SPEAKER You may be on your legs but on what? If it is a point of order you could have said 'point of order'.

SHRI O V ALAGESAN I am going to ask the Government to give a categorical assurance that they will continue the work of the Sarkaria Commission. Will the Prime Minister be pleased to say something on it? That is what I want.

SHRI MORARJI DESAI May I say Sir, that the Sarkaria Commission's work is going on? It is not complete and I cannot take any definite action unless that is complete and I have requested Mr. Sarkaria to complete his work as soon as it is possible and he has said that he will do it in four months.

MR DEPUTY SPEAKER Now some amendments have been moved to the Motion of Thanks. I will put all these amendments to vote together unless any hon Member wants that any of the particular amendments should be put separately.

[Mr Deputy Speaker]

I shall now put all the amendments together to the vote of the House

All the amendments were put and negatived.

MR DEPUTY SPEAKER The question is

"That an Address be presented to the Vice President acting as President in the following terms —

"That the Members of Lok Sabha assembled in this Session are deeply grateful to the Vice-President acting as President for the Address which he has been pleased to deliver to both Houses of Parliament assembled together on the 28th March 1977

The motion was adopted

15.31 hrs

STATUTORY RESOLUTION RE CONTINUANCE IN FORCE OF THE PROCLAMATION IN RESPECT OF TAMIL NADU

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHIRAN SINGH)

SIR I beg to move

"That this House approves the continuance in force of the Proclamation dated the 31st January, 1976 in respect of Tamil Nadu issued under Article 356 of the Constitution by the President, for a further period of one year with effect from the 10th March 1977

As Hon'ble Members may be aware the Proclamation under Article 356 of the Constitution in respect of Tamil Nadu was issued by the President on

31st January, 1976 This was done in pursuance of a report received from the Governor of Tamil Nadu in which grave allegations of corruption and mal administration were also made against the Government headed by Shri Karunanidhi. The President's Rule was again extended for a period of six months in September, 1976 by another Resolution of the Parliament. Before the expiry of the last extension the previous Government moved a Resolution in the Rajya Sabha on 1-3-1977 for the continuance of President's Rule in that State for a further period of one year with effect from 10th March 1977 which also was accorded approval. The legal position is that as the resolution for extension of Proclamation has been passed by Rajya Sabha for the continuance of President's Rule, a resolution by Lok Sabha to the same effect is necessary within 30 days of its 1st sitting after re constitution.

According to the amended provisions of article 356(4) of the Constitution of India the period of extension of President's Rule now stands raised to one year This is however only an enabling provision because the Proclamation in this regard can be revoked at any earlier time I do not wish to go into the merits of imposing President's Rule in Tamil Nadu nor into the justification for extending it indefinitely Our Government is committed to restoring normalcy and early popular rule in the States under President's Rule

Honble Members would bear with me that it is not possible to revoke the Proclamation without holding Elections in the State since that would mean an administrative vacuum It will be the endeavour of Government to have elections in Tamil Nadu in the course of next few months I would, therefore request the House to pass the Resolution for continuance

of President's Rule for a period of one year, so that administration could continue to function till a popular Government is in position

With these words Sir, I commend the Resolution for approval of this House

MR CHAIRMAN Resolution moved

"That this House approves the continuance in force of the Proclamation dated the 31st January 1978 in respect of Tamil Nadu issued under article 356 of the Constitution by the President for a further period of one year with effect from the 10th March 1977"

1534 hrs

[KUMARI ASHA MAITI in the Chair]

SHRI P KANNAN (Salem)
Madam Chairman President's rule in Tamil Nadu is being extended but the people of Tamilnadu want an early poll I should request the concerned Ministers to hold early elections because we should like the same results now as we have got here We also want that there should be no withdrawal of any case Chargesheets and trials are pending in courts in Tamil Nadu against some of the Ministers and MPs All corrupt persons should be brought to trial I request the Central government not to withdraw any case This is what was done in respect of Mr George Fernandes and Shri Subramaniam Swamy This Government should assure us that there will be no interference in judicial matters, in fact they assured the people that they would not do so but the first act done by the Janta Government was to withdraw those cases I do not think that they are doing justice to the judiciary We want no interference with the judiciary and we told the Congress Party government and Mrs Indira Gandhi also that they should not do so But the very first act of this government was to withdraw

those cases It is for the judiciary to give verdict that Shri George Fernandes and Shri Subramaniam Swamy were innocent or not If they are proved innocent, then it is well and good But it is for the judiciary to come to the conclusion whether they are innocent or not It is not for the executive to decide this Because these two gentlemen happened to be elected on Janta Party ticket should the cases against them be withdrawn? There are thousands of cases against innocent and poor persons in other parts of the country But those cases have not been considered by the present Government Let not the withdrawal of cases against Mr George Fernandes and Shri Subramaniam Swamy as happened at the Centre be repeated in Tamil Nadu where there are cases against the erstwhile Chief Minister and other Ministers, because you have won three seats in Tamil Nadu in alliance with the DMK I do not think that you will get even one seat in Tamil Nadu State Assembly Elections if the cases against the persons belonging to DMK were to be withdrawn The desire of the Tamil Nadu people is not to withdraw the cases against them The Sarkaria Commission has given findings on 7 charges Action must be taken against the persons and they should be punished Action should also be taken on other cases that are pending trial After the President's rule in Tamil Nadu, all the labourers have been paid Wages the bonded labourers have been released and rescued during the Congress regime under the leadership of Shrimati Indira Gandhi The hill tribes have got the benefits by way of implementing the 20-Point programme in Tamil Nadu All the cases that were not detected during the previous Government have been detected and discovered during the President's rule The Statewide sensational case called the Poolavari double murder case—where a father and his son were murdered—in which Mr Karunanidhi was involved was not pursued Mr Karunanidhi

[Shri P Kannan]

screened the offenders but the case was treated as undetected. We gave a petition to the Prime Minister Shrimati Indira Gandhi, when she visited Tamil Nadu. At the instance special police were deputed to detect the case. Now the case has been detected and the persons responsible were chargesheeted in which the District DMK Secretary is an accused. The people of Tamil Nadu desire that the proceedings and pending trials should continue and they should not be withdrawn as has been done in the cases of Shri George Fernandes and Shri Subramaniam Swamy. Proceedings of the pending cases against all the DMK Ministers and others should not be stopped. We will be supporting the Centre for all progressive measures that they may take otherwise we will not be supporting your Government.

SHRI O V ALAGESAN (Arkonam) Madam Chairman, I welcome this Resolution because it is to fill the gap in the present difficult situation. The question is as the elections cannot be held here and now President's rule has to be extended. As per the Resolution brought forward by the Home Minister President's rule is to be extended for one year. But I am glad that the Minister has clarified that it does not mean that the President's rule will go on for one more year and the elections would be held as soon as possible. In this connection I would like to say that I have heard the Prime Minister's broadcast to the nation yesterday. It was a welcome one and it was marked by wisdom and humility. It looks to me that he is a changed man now. He has to live down several of his past reputations. I think he will be slowly doing it which can be inferred from the way he took back his comments that he made on women in general and from what he said on the radio yesterday. I hope he has changed. We are interested in seeing that the trends of change taking place

in him are strengthened. Recognising the inherent lacuna in the geographical distribution of seats won by the Janata Party in the last election he has hastened to assure the people of the south that he will be considerate towards them and see that their interests are safe in his hands. He claimed that his is a national government and no segment of the population will feel orphaned. This is a welcome assurance taking a realistic view of the results of the election unlike some Janata members who fell foul with us when we pointed out that very fact. But mere assurance is not enough. Government should think of some institutional arrangements and spell them out so that the above assurance is translated into suitable action. He has also assured the State Governments that he will be even handed in dealing with them and also he will not indulge in securing defections or toppling State Administrations. This is also a welcome statement of policy.

But what do we find? Already at party level and governmental level efforts have started to secure the defection of the All India DMK from its electoral alliance with the Congress, CPI and Muslim League and get it attached to an alliance with the Janata Party. The leader of All India DMK in Parliament is being wooed. The General Secretary of the All India DMK, Shri M. G. Ramachandran is being pursued and passionately wooed because the realisation has dawned on the Janata Party that when they clubbed themselves with the DMK in the last elections it was an embrace of death. Now they want to retrieve the situation by aligning themselves with the All India DMK. Is this not an effort at defection? On the other hand, the DMK leader is rather afraid and he is giving a hot chase to the Janata Party so that he may retain their friendship so that he may get a few more seats in the Assembly election tomorrow. But I think the

Janata Party has learnt its lesson and will not have any more truck with the DMK. Even on the eve of the last election we do not know whether this alliance was struck on the initiative of the local leadership or whether the local leadership was over-ruled by the All India leadership and they were advised to have this alliance. But let us wait and see whether the Prime Minister keeps his promise and refrains from weaning the All India ADMK away from its present stand or tries to force that party into an alliance with the Janata.

The Prime Minister has also said that an autonomous machinery to probe charges of corruption or misuse of office at all levels is proposed to be established. The statement is not quite clear. The other day the Home Minister said he will have three separate enquiries conducted into Maruti Nagarwala episode and charges against the former Defence Minister Shri Bansi Lal. I want to know whether the Prime Minister's statement supersedes that of the Home Minister or whether the autonomous body is an addition to the bodies mentioned by the Home Minister. This may be made clear.

Again I am thankful to the Prime Minister for giving a categorical assurance on the floor of the House that the Sarkaria Commission of Enquiry will be continued. I wanted to have such a categorical assurance because the term of the Commission came to an end on 1st February this year. So unless the term of the Commission is extended it will not be possible for it to go into the other allegations made against the erstwhile DMK Chief Minister and the erstwhile DMK Ministers. If I heard the Prime Minister right he said that he had asked Mr Sarkaria to complete the enquiry within a period of four months. I would like to submit that the time that is allowed to Mr

Sarkaria is not enough. Of the total allegations Mr Sarkaria chose 28 and it took one year for the Commission to complete enquiry into seven allegations. Now there are 21 more allegations and they are very important and very complicated. I would like to read these 21 allegations. They are

- 1 Mekala pictures 2 Anjukom Pictures 3 Gopalapuram House 4 Anjukam Pathipakam—Murasoli 5 Son's house Tiruvarur 6 Dharma 7 Vaidyalingam 8 Veeranam That is a project to bring drinking water to the city of Madras from Veeranam lake Crores of rupees have been swallowed in that 9 JKK Angappa Chettiar 10 Samayalloor Power Station 11 Sugar scandal 12 V S T Mudaliar 13 Amirtham 14 Kodai Palani Road 15 Private Trusts 16 Arbil Dhar malingam 17 Aditanur Vellandu Bank 18 Trade Union 19 Intimidation of Press 20 Misuse of State machinery for party 21 Police excesses 22 Sakthi Pipes

These are the 21 allegations that are yet to be enquired into by Mr Sarkaria. So to say that Mr Sarkaria should complete his enquiry into all these allegations which are very complicated and which are having ramifications within that short period of year to enquire into only 7 allegations I would submit is not realistic. I do not want the Government to ask Mr Sarkaria to hasten with the enquiry. I want that Mr Sarkaria should be given more time so that he completes the enquiry. Now it is for the Government to take action.

I entirely agree with the Prime Minister that discipline should not be imposed from outside but it should be self-discipline. That is what Gandhiji had said. I would be excused if I say

[Shri O V Alagappa]

that it was the Janta Party which was responsible for creating conditions of indiscipline in the country which brought about the then much needed emergency. Now emergency has been lifted. Several things have happened in the State of Tamil Nadu after the lifting of emergency and I would like the Government to take note of them because they are straws in the wind. There was a bus strike to which the Hon. Prime Minister made a reference while replying to the discussion on the Motion of Thanks to the President for his Address. I do concede that the workers employed in the transport corporation may have had pent up grievances. But what happened is this one driver was transferred from one depot in the city of Madras to another and immediately there was a strike. Thousands of students who had to write their examinations were inconvenienced. Many more thousands of others going to offices and other places were inconvenienced. People were talking in the streets that this was the first taste of the Janata government. I do not decry anybody. I am only pointing out that these are straws in the wind. The bus strike provided a certain amount of disillusionment to the people in the city of Madras who returned two non-Congress candidates out of the 3 constituencies.

Then there was another incident. Immediately after the lifting of the Emergency some 30 or 40 students stormed the room of the Vice-Chancellor in the Madras University. They did not even seek permission for an interview. They just went there and demanded an interview, got into his room and wanted that all examinations should stand postponed. Naturally the Vice-Chancellor was not able to give an immediate answer. I beg to think, Madam Chairman that if campus indiscipline again spreads it will not be to the good of the country and to that of the younger generation of this country. Again I am told that

the Janta's meal which was being supplied for one rupee has been given up by the hoellers in the city of Madras and elsewhere. This has caused great hardship to the ordinary people and to the poorer sections. I am not able to know the reason why this healthy change which was introduced during the Emergency—this is not a case of arresting persons or putting them in jail—has been given up. The Home Minister may perhaps taken the trouble of finding out and seeing that this at least is restored.

I have already spoken about the electricity department which is in a very very bad way. It requires a thorough overhauling. I am sorry to say that the Advisers regime did not have time to look into this. It so happens that on the day the new Minister of Energy who hails from Tamil Nadu—I wish him well and wish him success—was taking his oath of office, news came in that there will be a further cut in the electricity supply. There was already a 30 per cent cut.

They now propose to make it a 50 per cent cut. I am told that the cut is now 40 per cent. Madam Chairman, you know that this is summer and that for having good crops, it is necessary for the pump sets to be working well so that the standing crops do not wither away. (Interruptions) I am not saving anything against your government or against Mr. Ramachandran. He has started well. He said that he will look into the ongoing projects, assess them and see what can be done. So I am bringing this to his notice even though he may not be here now. I is very unfortunate that on the day of his taking the oath (Interruptions) a further cut was announced in the supply of electricity. The reason why I am pleading this is that the Neyveli project has produced 75 per cent more power this year than last year. Most of it is being supplied to Tamil Nadu. When that is the case there is not much convincing reason why this cut should be continued in the first instance.

and secondly why it should be increased further. So I would like the hon Minister to look into the matter. Because we read in the newspapers that he is visiting Madras on the 9th of this Month and he is going to have discussions with the officials of the Electricity Department. That is why I am urging that he may have a good look into the power projects of Tamil Nadu and try to improve matters.

I would like to say a few things about the imperative needs and requirements of my constituency. I have been pleading for a long time for a bridge near Pallipet on a road which is an inter-State road connecting Tamil Nadu with Andhra Pradesh. The people have been put to much difficulty there for want of this bridge on the river. Though the Central Government was willing the DMK Government was not recommending the work to be taken up. Now that there is President's Rule which is being sought to be extended for a short while I hope the Advisers' regime will see its way to recommend this work and see to it that it is taken up immediately.

There is also a proposal to establish a sugar factory in Tiruttani Taluq in my constituency. That has to be cleared by the Central Government because of which the project is being delayed. I hope the hon Minister will ask the concerned Ministry to see that this proposal to establish a sugar factory is cleared.

There is a very famous temple in my constituency at Sholingar. The hon Prime Minister felt offended when the Leader of the Opposition called the Janata Party a strange animal and a reply came from the other side that it is something like a

CHAUDHURI CHARAN SINGH I do not know what the hon. Member is speaking about. The House is now considering a very limited question just now whether there should be an extension of the President's Rule or not. That is all. All questions about elec

tions, alliance Janata Party etc are not relevant here.

SHRI O V ALAGESAN Perhaps the hon Minister is not well acquainted with the practice in this House. It is customary it is usual during such discussions to make reference to these things. We can say that such and such things should be done and until the elections are held it is for the Government here to deal with those things because Parliament is in charge of the administration of Tamil Nadu. In fact the previous Home Minister was presiding over a Committee of MPs on Tamil Nadu which was looking into these matters. In fact the other day in my speech I requested the Government to see that this Committee of MPs on Tamil Nadu should be set up as early as possible. So I am very relevant when I am urging these things. This refers to the administration of Tamil Nadu and they have to do all these things. The Home Minister has to take note of them and see that these things are done.

16 hrs

I am coming to a temple. The other side answered back saying that we are aware of Narasimhavaira where the Lord Himself took the shape of both a man and an animal. So why should they be very much ashamed of being called an animal? In this temple the presiding deity is Lord Shri Lakshmi Narasimha. It is a very beautiful temple. Many pilgrims and tourists go there. I want that a road should be made and a winch should be provided so that all people may reach the temple and have a good darshan.

The hon Education Minister made a statement today. It was a preliminary statement. Naturally he could not go in any depth into the various matters that have to be looked into by him. I have no grievance about that but I would like to draw attention to a brochure published by the expert

[Shri O V Atangsan]

body the National Council of Educational Research and Training where there is discrimination made in the teaching of English between non Hindi and Hindi States. It has been mentioned in that brochure that the teaching of English in non Hindi States can start from the ninth standard and that too for two periods in a week. On the other hand they have said that the teaching of English could start in the Hindi speaking States from the sixth standard and will be taught for five periods. I drew the attention of the erstwhile Education Minister also to this very great discrepancy and the discriminatory treatment that has been meted out to the Hindi and non Hindi States. He said that he would correct the discrepancy that he would declare a new policy. So I would beg of the new Education Minister to study this matter. I would not hustle him and see that this discrepancy is removed and that in the matter of teaching English to the boys whether they are in the Hindi States or non Hindi States, the same policy is followed, and that there is no discrimination.

With these few words I support the Resolution moved by the hon. Home Minister.

SHRIMATI PARVATHI KRISHNAN
(Coimbatore) I thank you very much for giving me this opportunity of saying a few words.

At the risk of being told that I am out of order by the hon. Home Minister I would like to take this opportunity of drawing his attention to a few very important and urgent problems that exist in my State today.

First and foremost is the fact that in Tamil Nadu more than in any other State in this country we are beset by the problem of drought of very serious proportions. This is a continuation of the drought conditions which have been there for a very long time. During

the period of the DMK regime, from 1972 onwards, we had the miserable experience of finding all drought relief money being channelled into pockets other than those intended with resulting loss to the State as a whole. Therefore on this occasion when we are discussing the Resolution for extending President's rule, it is but correct and meet that I should draw the attention of the new Government to this very important problem so that it is immediately taken up by the hon. Minister through his agencies and put on a war footing.

As a result of this there will be a lasting effect. It is not that we only want our agricultural labour to get employment by digging earth work roads here and there but the long distant perspective on irrigation schemes. That work can be undertaken as drought relief work so that on the one hand we will have income through employment for agricultural labour and on the other hand, we will have already this ground work of new irrigation schemes.

Apart from that I would like to draw the attention of the Minister to the fact that there was a problem of sinking bore wells in the drought areas. These give enough water and the water is available as drinking water for the villagers. But when the existing bore wells go out of order then there is no arrangement for maintenance so that they continue to function properly. The water is there the bore well is there and the statistics are there, but because the bore well is out of order the water is not there as drinking water for the villagers. Therefore it is extremely necessary that immediate steps should be taken to solve this problem. For the simple reason that these pump sets were given on contract to a particular firm outside Tamil Nadu against the advice of the officials by the erstwhile Karunanidhi Government and the whole matter was not handled properly. The mechanics who are responsible for see-

ing them function properly do not bother about it. Then there is a commission which is also looking into it. Meanwhile please take up the work of maintenance of existing bore wells and drought relief measures for the people of my State if they are to receive any relief whatsoever

Then there is a problem for the handloom weavers which we raised also in the form of an amendment to the President's Address. The Prime Minister when replying to the debate on the President's Address just escaped by saying that we are new we do not know all the problems we have to study problems. So I can in all humility bring it to the notice of the Home Minister this problem so that at least they can take up these problems study them and see that very quick results are found

Then there is a question of sales tax on hosiery products in Tamil Nadu. As a result of this the manufacturers and the workers in the hosiery industry have to suffer a lot. This is a discriminatory sales tax which has gone against the hosiery industry in Tamil Nadu and the traditional market here now been lost on account of this. Unfortunately the earlier Karunanidhi Ministry had introduced this tax. We had brought this matter to the notice of the Central Government during the President's Rule. The matter was on the anvil. We were assured that it would be reviewed. Therefore I would like the Home Minister taking over this portfolio to look into this matter of my State and see that a decision is taken very soon in order to give relief to this key industry. There are thousands of workers dependent on it and this is a small scale industry. The Prime Minister yesterday assured that small scale industries are going to be helped. This can be a magnificent step by the Central Government that they would help the hosiery industry in Tamil Nadu by seeing that this discriminatory tax is removed there and protection is given

to them so that that industry can prosper once more as in the past

There are a series of lock-outs in the glass and enamel factory in Salem in Meties Instruments in Madras. And certain mills are closed in my own constituency of Coimbatore either for financial reasons or for other reasons. There is the Lotus Mill. They made a request for financial assistance from the banks that was necessary to get it going. I hope the Minister will see that this is immediately looked into so that in his period our workers are guaranteed employment and the normal and democratic system of our country continues to function smoothly as a result of the elections which were conducted.

Another point that I would like to make is about our indigenous system of medicine i.e. Ayurveda. In the south and in many other parts of the country many people go in for Ayurvedic medicines. The Health Minister is not here. I would like to bring to his notice one thing. In the south particularly in Tamil Nadu, Kerala and Andhra Pradesh there are many Ayurveda pharmacies. Particularly in Tamil Nadu quite a few Ayurveda pharmacies, hospitals and nursing homes have come up because they have been able to serve the people and many people from the North also go there to get treatment for certain ailments which allopathy cannot cure. So much so that the WHO has decided to have a research scheme along with Ayurveda pharmacies in Coimbatore. It is a great credit to our country because the UNESCO and the UNO themselves are recognising that India has got a good heritage in the medical field also as we have in education and other cultural fields. The erstwhile Karunanidhi Government had a kind of allergy—I do not know why—particularly to Ayurveda medicines and pharmacies which are concentrated more in Kerala. So they introduced a 40 per cent sales tax on Ayurvedic drugs. We had brought this to the

[Shrimati Parvathi Krishnan]

a tention of the Government and pointed out that it was most unfair that our indigenous system of medicine was being discriminated against. I am not speaking as a person coming from Kerala or from the South. I am speaking in terms of encouraging the indigenous system of our medicine. The 40 per cent sales tax on Ayurveda medicines which the poor people are using is something which is just beyond one's imagination. Of course the people of my city Coimbatore go to Palghat and pay Rs 4/- more to go by bus and get the medicines. But what about others in Tamil Nadu? Why this discrimination against our indigenous system of medicine?

Surely the Minister of Health can go into this matter and see that the protection is given to our Ayurveda medicines and this discrimination is removed. This will benefit the poor people who take to Ayurveda treatment. This will be a great move forward in removing discrimination between one State and another and between allopathic medicines and indigenous prepared medicines.

Lastly when we are discussing the extension of the President's Rule in Tamil Nadu, I would like to say that elections in Tamil Nadu should be held at the earliest. The Home Minister has said that the elections will be held in a few months. We have been seeing various reports in the newspapers that the elections may be held in three months or four months or six months or two months. We have been demanding elections to the Tamil Nadu Assembly at the earliest possible time to give an opportunity to the people of Tamil Nadu to have a duly elected popular Government to deal with these problems and many other problems which we cannot discuss here for want of time today. I do not think the hon. Minister is in a mood to reply to all the problems. That is why I have

brought only a few problems to his notice and I would appeal to him to look into them immediately. I would appeal to him to give an assurance here and now as to how soon the elections will be held. The elections should be held not in a few months but at the earliest giving time to the people of the State to have the electoral rolls rectified. During the recent elections in our State, we were horrified to find that many voters of long years of standing suddenly found themselves outside the electoral rolls. We had this experience and we overcame it. We do not want to accuse anyone of rigging the elections. But that attempt was there. We are glad that we overcame it and that is because of the strength of democratic spirit, democratic ideas and democratic norms that exist in our State.

In conclusion, I would again urge upon the Home Minister to give an assurance that democracy will be taken one step forward by having the State Assembly elections as early as possible and ensuring a duly democratically elected popular Government in the State.

SHRI KUMARI ANANTHAN (Nagercoil): First of all, I wanted to point out one thing. The hon. Member Shri Alagappa misquoted our Prime Minister when he referred to the Sarkaria Commission. Our Prime Minister had said that Justice Sarkaria wanted four months. There is no question of giving four months. Our Prime Minister asked Shri Sarkaria about the investigation and the Justice asked for four months time to complete it which was agreed to.

Then another Hon. Member spoke about electricity cuts. In what way is our Prime Minister responsible for that? In what way can the Janata Government take the responsibility? It was your regime which was there at that time and you were responsible for it. The present Minister has said that we will see that the present

projects and systems are fully utilised That means you have not utilised them properly and fully so it is a reflection on your own regime

Then there is another thing The lady Member who spoke just now said that some names were found missing from the electoral rolls but that she did not want to find fault with anybody The responsibility can be placed only on the previous Government and that is why she did not want to find fault with anybody Not only have they left out some names but there were attempts at rigging also I have ample proof of it I have a bundle of papers duly signed by the Presiding Officer With the permission of the Chair I can place it on the Table

Then another Hon Member mentioned the first strike after we took over Without lifting the rifle and without using any force we could bring the strike to a happy ending You should give encomiums to the Janata Government for this

Another thing is that the Janata Government will not swing in its responsibility of upholding justice As I said yesterday our measuring yard will not swing or bend in favour of anybody At the same time it will not leave out anybody from the purview of enquiries by the Commissions

With these words, I conclude

SHRIMATI PARVATHI KRISHNAN

Just a point of personal clarification the enumerations were done when the DMK was in power in 1975 So he should stand corrected

SHRI KUMARI ANANTHAN It was revised when your Government took over

SHRIMATI PARVATHI KRISHNAN Not my Government I never had my Government

SHRI A ASOKARAJ (Perambalur) Madam Chairman and Hon Mem

bers It is a happy occasion for me to deliver this maiden speech as a member of the All India Anna DMK from Tamil Nadu

In the month of January 1976 the corrupt DMK Government was dismissed and President's rule was imposed The Tamil Nadu people expected Assembly elections along with the Parliamentary elections but unfortunately it was not so

The Home Minister has announced the Assembly elections to the Kashmir Assembly within three months I wonder and don't understand why the Hon Minister has not said anything about the Tamil Nadu Assembly elections though it was dissolved fifteen months ago Some officials are acting in a highhanded manner and the people are unable to express their feelings Hence I request the Prime Minister through the Chair to announce immediate elections to the Tamil Nadu Assembly If the Government do not announce it immediately the people of Tamil Nadu will have doubts regarding the credibility of the statement that democracy is said to be flourishing now Government says that they have faith in the people's verdict then why don't the Government allow the people of Tamil Nadu to give their verdict? The present administration may be a good one but a popular Government will be a better and the people of Tamil Nadu will give their verdict for a better one

There is no popular Government in my State now Therefore I have to talk about my constituency here My constituency namely Perambalur is a very backward area It is a drought hit area People belonging to the Scheduled Castes and Scheduled Tribes and backward classes are living in huts Human beings cannot live in such huts we should really be ashamed of this These huts are often destroyed by fire So the Government should come forward with comprehensive plans to change these huts The drinking water problem is an

As we have already promised our All India Anna DMK would support the Government in all their constructive and progressive measures

*SHRI A. MURUGESAN (Chidambaram) Madam Chairman on behalf of All India Anna Dravida Munnetra Kazhagam I rise to say a few words on the Resolution seeking to extend the President's rule in Tamil Nadu

At the very outset I would refer to the regrettable omission in the President's Address to both the Houses of Parliament. It is unfortunate that the Acting President in his Address has not reiterated the solemn assurance of late Pandit Jawaharlal Nehru which was scrupulously observed in letter and spirit by late Lal Bahadur Shastri and Shrimati Indira Gandhi that Hindi would not be imposed on non-Hindi speaking people of our country. I hope that at least the Home Minister in his reply to this Debate would assure us that Hindi would not be imposed on non-Hindi speaking people of India.

The Acting President in his Address has assured that his Government which swears by the name of Mahatma Gandhi and which professes to follow the footsteps of the Father of the Nation would give a pivotal place to rural India in its scheme of economic development. I am an agriculturist by birth and I am spending my life among the agriculturists. There is a proverb in Tamil which says that when the agriculturist starts his calculations he will find that only the measure is with him and nothing else. His grievances are manifold. The Government should arrange for the supply of improved varieties of seed, fertilisers, tractors etc. at the appropriate time and at reasonable prices. He does not get remunerative price for his produce. For the last one year he is undergoing untold indignities and his

labour is not honoured properly. The President's rule in Tamil Nadu has stopped even the bonus of Rs 10 per bag being paid to him. Yesterday the hon. Minister of Agriculture of the Government of India has in his discussions with the State Agriculture Ministers pointed out that the agriculturists of the country would be paid remunerative prices for their wheat, paddy etc. and as an incentive for increased production they would be given some bonus also. I welcome this wholeheartedly. I need not say that the agriculturists are the backbone of Indian economy and as repeatedly pointed out by Mahatma Gandhi unless their welfare is assured the nation's welfare will be in jeopardy.

After the enactment of the law liquidating rural indebtedness the agriculturists are finding hard to get credit facilities for their operations. Before the local money lenders were shunted out, alternative credit giving institutions should have been established in the rural areas. I do not mean to say that the agriculturists live on loans only. But on account of the fact that they are not getting remunerative prices for their produce they are perennially in debt. Here lies the importance of having alternative credit institutions for them. This must be done by the new Government at the earliest.

In most of the rural areas of our country drinking water is so acute that the villagers walk many miles to get drinking water. In particular the village women have to face this ordeal throughout the year. In my district this is a chronic problem. Ulundurpet, Kallakurichi and other adjoining areas face drinking water shortage for so many years now. The new Government at the Centre must provide this primary need of the people living in the rural areas.

[Shri A. Murugesan]

The former Central Minister Shri C. Subramaniam gave an assurance about the opening of second-cut mine in Neiveli and here I need not emphasise the need for the setting up of Thermal Plant there for generating electricity needed for this purpose. Electricity is required for bringing out under ground water and for so many other important economic activities. I request that this must be sanctioned immediately.

In Chidambaram and Tanjore Districts which are known as the granary of Tamil Nadu, the land which gives three crops a year has become dry for want of water. Even after the construction of dams across Hemavathi and Harangi, the Karnataka Government is not honouring the 1924 agreement in regard to the sharing of Cauvery water between Tamil Nadu and Karnataka. If this water dispute is not resolved forthwith, the entire Tamil Nadu is likely to become an arid zone. The Janata Party Government at the Centre must find an immediate solution to this problem.

Our leader Shri S. D. Somasundaram has in his speech referred to the necessity of having representative Government in Tamil Nadu as early as possible. My leader Puratchi Thalaivar M. G. R. and the national leader Shri J. P. has also emphasised the urgency of having State Assembly Elections. I request that immediate elections to the State Assembly must be conducted in Tamil Nadu.

Immediately after freedom, Mahatma Gandhi stressed the role of Panchayats in a democratic system and pointed out that they should be vested with necessary powers. In my capacity as the Vice Chairman of the Keerapalayam Panchayat Union, Chidambaram Constituency, I have felt the need for this. I stress with all the force at my command that the Panchayats should be vested with adequate powers so that

the villages can get the benefit which they deserve.

At the end, I suggest that the following programme of activities must be undertaken in my constituency Chidambaram: Construction of revetment between Orattur and Sakkangudi on Vellar Dairy and Poultry farms with financial assistance to run them; khadi and village industries; increased supply of drugs and appointment of staff in Chidambaram Hospital; enhancement of wages to the agricultural labour and their general upliftment; protected water supply; street lighting; provision of house-sites and also financial assistance to Harijans backward classes for constructing houses; improvement of roads; raising into a post graduate college the Government Nandmar boys and girls High School, Chidambaram.

With these words, I conclude after thanking you, Madam Chairman, for giving me an opportunity to speak in this House.

*SHRI K. RAVANMURTHY (Dharmapuri): Madam Chairman, the people of Tamil Nadu will regretfully welcome this Resolution which seeks to extend the President's rule in Tamil Nadu by another year. I say this because the Prime Minister and the Home Minister of the Janata Party Government, immediately after their assumption of high offices, assured that elections to the Assembly would be held as early as possible. Now, this Resolution seeking to extend the President's rule in Tamil Nadu might create an impression in the minds of the people of Tamil Nadu that the Janata Party Government would hold elections to the Assembly only after Janata Party becomes popular among the people of Tamil Nadu.

This is my maiden speech and I have chosen to speak in my mother tongue, Tamil. For the past several years, I have been watching the proceedings in this House. I get the feeling that the established rules and traditions in the

*The original speech was delivered in Tamil.

conduct of the business of this House have gone to the winds. In 1957, in this House, Shri E. V. K. Sampath spoke in Tamil and secured this right of speaking in our mother tongue in this House. The late Pandit Jawaharlal Nehru gave a solemn assurance to the non-Hindi speaking people that English will continue so long as the non-Hindi speaking people want. This assurance has been implemented till the Congress Government at the Centre has scrupulously adhered to the assurance of Jawaharlal Nehru. Now we are afraid of the future. The Janata Party which has come to power at the Centre is a conglomeration of parties with different ideologies. It consists of Hindi fanatics also—Jana Sanghas and Socialists. These leaders in their tours of Tamil Nadu have sown the seed of hatred in the minds of the people of Tamil Nadu. I would like to have a categorical assurance from this Government that they would honour the sacred and solemn assurance of Jawaharlal Nehru that Hindi will not be imposed on non-Hindi speaking people, and English will continue so long as they wish.

If what I have heard is true, then it is a matter to be condemned by all of us here. I understand that in the Health Ministry non-Hindi knowing officials are being thrown out. If this is true, then the separatist tendency which has died down in South will get a fresh lease of life. This Government can allay the fears of the people of Tamil Nadu by reiterating unequivocally the solemn assurance of Jawaharlal Nehru in regard to non-imposition of Hindi on the people of South.

PROF. DILIP CHAKRAVARTY (Calcutta South): There will be no imposition.

SHRI K. MAYATHIEVAR (Dindigul): The hon. Member is raising a

very important point on behalf of the people of Tamil Nadu but the hon. Home Minister who is going to reply to the debate is not listening to his speech. I request him through you, Madam Chairman, to kindly note down the points the Member is raising and reply to them.

SHRI K. RAMAURTHI: The Acting President's Address has been discussed in this House. Neither in the President's Address nor in the speeches of the ruling Party members there has been no indication about the ruling Party's economic programme. "We will change the laws; the freedom of the Press would be restored, all the detainees under MISA have been released, the dreadful MISA has been repealed—these seem to be the theme-song of the ruling Party Members. What does this Government propose to do for the 24 crores of people not even getting an income of a rupee a day? Unfortunately in the DMK rule, Tamil Nadu has come to the last position in the economic map of States in India. Maximum number of people below the poverty line are in Tamil Nadu. What is the economic programme of Janata Party Government for these people, I would like to know. The Central Government have given guidelines in regard to the standard acres as stipulated in different land reforms laws enacted by the States. It is strange that in spite of this, in Tamil Nadu the minimum prescribed by the State is higher than that stipulated in the guidelines of the Central Government. Under the President rule, at least the State land reform law must be brought on par with the Central guidelines.

After the liquidation of rural indebtedness, as per the 20-Point Programme it was thought that the moneylenders in Tamil Nadu would have been decimated. After the Parliamentary election it is strange that the moneylenders have come

[Shri K. Ramamurthi]

back to the surface. It is more astonishing that immediately after the Janata Government resume office in the Centre, they have started pressurising the poor people to give interest dues and the loans. I wonder whether they are the sponsors of Janata Party in Tamil Nadu and are also sympathetic towards the ruling Party at the Centre now. It is a matter to be condemned that with the coming to power of Janata Party the released bonded labour has again become slaves. Naturally, the extension to President's rule in Tamil will not give satisfaction to the people of Tamil Nadu.

As pointed out by the hon. Member Shrimati Parvati Krishnan drinking water is so acute a problem in Tamil Nadu that even if you are prepared to pay money you will not get drinking water. In my constituency Dharmapuri boring wells have been dug tanks have been desilted and underground water is being exploited. Still the people are suffering for want of drinking water and they have to go four or five miles for it. Dharmapuri has been declared as a backward area and yet nothing has so far been done to provide drinking water to the people. Shrimati Parvati Krishnan pointed out to many hundreds of lock outs and lay-offs in the industrial sector of Tamil Nadu. The Plantation workers are not getting their dues according to the Plantation Workers Act as well as the minimum wages as per the Minimum Wages Act. The wages of labour are being denied. For the past four months the GLA's industry workers in Salem have been denied their wages and unemployed due to the illegal closure. This should be looked into by the Central Government as Tamil Nadu is directly administered by it.

Before I conclude I would stress that elections to the Assembly must

be held forthwith in Tamil Nadu. I thank all the hon. Members for having heard my maiden speech in Tamil patiently and conclude with the hope that a Notification regarding Elections to the Assembly in Tamil Nadu would soon be issued by the Central Government.

SRI MOHANARANGAM (Chengalpattu): Madam Chairman, I am very thankful to you for having given me the opportunity to express my views and my feelings on the extension of President's rule in Tamil Nadu.

Tamil Nadu is now ruled by the officials acting in the name of the President. We have been asking them to conduct the elections for the State Assembly for the past one year and elections to the municipalities for the past 5 years. Municipal elections were conducted in 1969. The period expired in 1972. We asked for Municipal elections in 1973. The period was extended to 1974 and then again to 1975 and 1976. For the past few years we have been asking for Municipal elections to be held. We have been asking for elections to be held to the Panchayats. Panchayat elections were held during the year 1970. The period expired during the year 1975. The then Chief Minister Mr. Karunanidhi told us that elections will be conducted within 6 months. After 6 months he again said that this will be conducted in another 6 months. Afterwards that Government was dismissed. For the past one year we have been asking our President to conduct elections for both municipalities and panchayats but no step has been taken so far. I hope that necessary steps will be taken by the concerned authorities now.

With regard to the Film Industry, under the regime of Mr. Karunanidhi the entertainment tax was increased to 65 per cent. This was done just to reduce the political popularity of

Mr MGR who is our leader Mr Karunanidhi increased the tax to 65 per cent in Tamil Nadu whereas the tax is 40 per cent in Andhra Pradesh and 35 per cent in Karnataka. You can not see anywhere in the whole of India any State where it has been increased to 65 percent as it has been increased in Tamil Nadu. That was done only to reduce the popularity of Mr MGR who is our leader.

With regard to language issue I request the Prime Minister to give a categorical assurance on the floor of the House that Hindi will not be imposed on the people of the non-Hindi speaking areas. Pandit Jawaharlal Nehru had given this assurance. But what we find is that from Fifth Standard onwards Hindi is being imposed on the students of Tamil Nadu. I request the Prime Minister through the Chair, to give this categorical assurance that Hindi will not be imposed on the non-Hindi people. Immediate instructions should also be given to non-Hindi speaking States not to compel the students to learn Hindi. With regard to language, I wish to point out that our State is not like any other State. We have got our own rich literary traditions. We have a hoary past and a rich language in which our poets have given sermons and scriptures. We want that equal status should be given to our language on par with Hindi. Improvement of a language should not be at the cost of another language. So we want all importance to be given to our language.

AN HON MEMBER Why don't you speak in Tamil?

SHRI MOHANARANGAM If I speak in Tamil language the Members and the Ministers will never be able to understand that. That is why I am speaking in English which is an international language. (Interruptions)

MR CHAIRMAN You may carry on

SHRI MOHANARANGAM Madam Chairman, after the election was over, in our State, the AIDMK volunteers were beaten up by the DMK volunteers with the help of the police force. I do not know why the Janta party has joined hands with this discredited and corrupt Chief Minister, Shri Karunanidhi in the election. That is the reason why the Janta party has not even got half a dozen members out of the forty from the Tamil Nadu. (Interruptions)

Shrimati Indira Gandhi never joined the DMK. You were talking about the 1971 election. Our leader, MGR, was in D.M.K. at that time and Shri Jagjwan Ram was in the Congress. Now, the entire political force is in the hands of MGR in Tamil Nadu. Certain things, Madam Chairman, were intimated to the concerned authority to rectify during the regime of Shri Karunanidhi. There were some officers who had no political affiliations were acting and doing certain things according to rules. As a result, some of the high officials were even suspended and dismissed or they were asked to retire voluntarily. I shall give here some instances. Some officers of the Tamil Nadu Government were asked to retire voluntarily. I asked the concerned authorities to take steps to re-instate those officials who were compelled to retire voluntarily in Tamil Nadu Government. All the time I had been asking the Government to take necessary steps in conducting the elections not only for Assembly but also for Municipalities and Panchayats Boards. We only want that the entire administration of my State should be run by a properly elected Government and not by the officers under the President's Rule.

DR HENRY AUSTIN (Ernakulam) Madam Chairman I support the resolution moved by the Hon Home Minister seeking another term for the President's Rule.

While supporting this Resolution, I would like to point out with anguish

[Dr Henry Austin]

the fact that the great State of Tamil Nadu is heretofore of a popular government for reasons well known to every honourable member of this House. The sad circumstances under which the previous regime had to be removed by the Government still brings in our ears. The decision of the then Government has been subsequently justified beyond any shadow of doubt by the recent Lok Sabha elections.

This clearly showed that the endeavour to detach a part of our country from the national mainstream by trying to create a cess pool of reaction and limited loyalty will not be tolerated by the people of our country. Despite the fact that they have got great cultural achievement and despite the fact that they are guided by certain cultural rejuvenation and regeneration in recent years still, they are proud of the national heritage of our country. The recent election is a positive proof of a new resurgence of nationalism and desire to make our country great and to make their culture part of the composite culture of our great country. Sir, I do not want to make a long speech here. But I would like to say that the experiment the device taken by the previous Government in constituting a Committee of Members of Parliament to advise the Administration run by the President was a very good move. I hope that the Home Minister will look into the possibility of reconstituting the Committee for whatever period the President's Rule may subsist as an interim measure (Interruptions)

CHAUDHURI CHARAN SINGH
Do you want the holding of the elections as early as possible?

DR. HENRY AUSTIN I am not referring to the elections now. Of course I welcome the statement of the Prime Minister regarding early elections. There was a consultative

Committee of Members of Parliament to advise the Tamil Nadu Administration under President's Rule which was presided over by the Home Minister.

That Committee was of great help in making the necessary suggestions and perhaps here the reviving of such a Committee would be helpful.

Sir, one of the reasons for my participation in this debate is to highlight the existing severe drought conditions in Tamil Nadu. Sir, in the areas that I visited a few months back the scarcity of essential commodities and particularly that of drinking water is very acute. It is a very bad situation indeed. Of course the previous Administration had been helpful in boring 6,000 bore wells but I am very sorry to say that the maintenance work has been neglectful and many of these wells are in disuse now. This is a serious situation which might be attended to.

Sir, in Karur, Chengalpattu and other areas the handloom weavers are facing a very serious problem as much as that they cannot find a market for their produce. They have been in this handloom industry for ages and the goods produced in those areas have acquired a certain standard. But today because of neglect thousands of people—if not lakhs—are suffering and the Administration might take adequate interest or devise measures to relieve the workers involved in this large industry from this situation of unemployment and possible extinction of this industry.

Sir, another serious situation that obtains in Tamil Nadu is the fact that many mills in Coimbatore and Madurai—centres of textile industry—are running sick. I think about eight or nine mills have already been declared sick mills and Government—as I am told—has only decided to take over one sick mill. It is a very bad situation. If the textile industry comes into bad days then it will affect our whole economy.

Now the thing which interests not only the people of Tamil Nadu but also the people of entire South is the completion of Jammu—Kanyakumari railway line. The railway line has already been extended upto Jammu and only certain missing links are there in the South. I do hope the hon Home Minister, who takes up matters seriously, will look into this. Though I know it is not directly under his control.

Again, Sir, there has been great interest—both in Kerala and Tamil Nadu—for starting a railway line connecting the ancient city of Madurai with the developing port of Cochin. Sir, I represent Cochin. It is in my constituency. I think certain survey has already been undertaken and I do not know what its present stage is. This railway line would also create facilities for the development of tourism because hundreds of foreigners are coming to Madurai to see the Madurai temples and also to Cochin. On the way is Idikkal where we have the giant hydro-electric project. Nearby we have also a great game sanctuary at Thekkady. All these places could be connected if this railway line from Cochin harbour to Madurai is started. This will throw open the hinterland of Tamil Nadu to Cochin Harbour.

Now, another thing I have noticed in my recent tour to Tamil Nadu is the tremendous scope for development of fisheries. On the Kerala coast, as is well known, there has been a great blue revolution since 1952. I had also a part to play in initiating this great blue revolution which has revolutionised the coastal Kerala. It has now spread to some other coastal States also. Tamil Nadu offers tremendous potential for the development of fisheries.

One of the nine fish breeding centres of the world, as marine biologists have pointed out, lies hardly about 800 kilometres of the coast of Tut-

corin on the coromondal coast. According to marine biologists, if you exploit the potentials of Wadge Bank as it is named after a German biologist in the later part of the 19th century, we will have fed the entire South and South East Asia by high protein food, sea food of various kinds. Today the sea food industry is catching up and in Kerala alone we have exported in the course of the last year about 350 crores of rupees worth shrimps and other frozen sea food in foreign exchange. Kerala coast is nothing when compared to the great Wadge Bank and in the Sixth Five Year Plan we are planning to have what we call deep-sea fishing and Tamil Nadu offers much more than Kerala and other coastal States for the development of fisheries, through deep sea fishing.

Sir, I have said enough. I would like to say that a fresh wind is blowing in Tamil Nadu. I told this to my friends in the North when I met them some time back in the AICC or in the Parliament itself. They used to ask what was happening in Tamil Nadu—why so much of provincialism, chauvinism and limited loyalties were fostered there.

MR CHAIRMAN The time is up

DR HENRY AUSTIN One more minute, Madam. So that phase seems to be over and every one should be proud of it. Of course, people of Tamil Nadu and the South in general are proud of their culture and their heritage but we always considered those cultural achievements as an integral part of an integrated whole—the composite culture of India. Towards this end we have been striving and we are glad to say that this desideratum has excited a lot of people in our country. Let us stand for the unity of the country and in the process let us also throw more emphasis on the development of the south and satisfy the aspirations of the people of Tamil Nadu in particular and the entire south in general.

SHRI S NANJESHA GOWDA
(Hasan) Madam Speaker, hon Mem-
ber

AN HON MEMBER No, Madam
Chairman.

SHRI S NANJESHA GOWDA I
am a new Member I am new to
parliamentary affairs also So, kind-
ly bear the mistake of mine

Now, I am speaking in support of
the Resolution already moved Many
of my friends, Sir, have spoken many
things I also want to say something
about what happened in Karnataka
About Tamil Nadu, I share the feel-
ings of all Tamil Nadu friends There
is no doubt about it

Regarding Karnataka also I want
to say something because I had no
opportunity, in spite of requests, to
speak on any occasion previously

MR. CHAIRMAN You should
speak on Tamil Nadu

17 00 hrs

SHRI S NANJESHA GOWDA I
must speak only on Tamil Nadu?
But I observed that many friends
spoke beyond the subjects every time
As a new Member, kindly give me
the opportunity to say something
As my friends already said, in
Karnataka there are no elections for
Taluka Boards and Panchayats and
all those things for the last 8 years
On this occasion, I request, through
the Chairman, the honourable Gov-
ernment to conduct elections to those
august bodies fairly and honourably
Regarding the last elections, I want
to say a few words My friend
Lakkappa comes from Karnataka, from
a constituency which is adjacent to
my constituency He says that peo-
ple came in a procession to vote for
Congress He also says that the Con-
gress has done a lot in the past

thirty years He has forgotten that
before 1971 he was saying quite the
opposite let him say what his feel-
ings were then and what he was
doing before 1971 He used to fight
like a tiger and criticise the Congress
(Interruptions) I am sorry to say
that he has become a circus tiger
during the last 18 months during
emergency just as the circus tiger is
being controlled by somebody else,
he was controlled by somebody else
On Karnataka elections and other
things so many persons spoke about
north and south, about regional feel-
ings, communal feelings, etc I do
not think that it is a healthy fea-
ture (Interruptions) In so many
constituencies people did not come in
procession, they were not in love
with the Congress I know that
people were paid in some constitu-
encies for coming in processions So
many ministers have spent so heavily
for elections, they took advantage of
the poverty of the people One
Minister spent lakhs and lakhs in
my constituency That money is cor-
rupt money, black money I have
got records to show that he amassed
corrupt money Here is the report
of the Public Accounts Committee of
the Karnataka legislature The Com-
mittee consists of 10 Congress MLAs
and 5 opposition MLAs and the
Accountant General In 1974-75 they
submitted this report to the Gov-
ernment of Karnataka, this is a uni-
versal report, ten Congress members
and 5 opposition members sat with
officers of the government and ex-
amined the records and they put on
record what has been proved and
they give the details of all the scan-
dals and then they give their final
conclusion and I shall read from that
for only one minute It is true that
money was looted Now, he is a
Minister in the present Government
He was the President of the Karn-
ataka State Co-operative Marketing
Federation The charges are framed
against him by the Congress Party
people themselves. In this connec-

tion, I will read out the relevant portion of the Public Accounts Committee Report of the Karnataka Government (Interruptions) As per the report of the PAC, it is stated that Shri Srikantiah was the President of the Karnataka Co-operative Marketing Federation I will read out the relevant portion at pages 261-62

'Ad hoc decision of the President to transport fertilisers to Belgaum from Bangalore instead of from Hubli contrary to the advice tendered by the officers in July 1970 that causing a loss to the tune of Rs 73 000

Then there are other items involving Rs 15 crores by defrauding by the same person I will take up this matter on some other occasion as time is limited Thank you

SHRI R KOLANTHAIVELU (Tiruchengode) Madam Chairman President's rule in Tamil Nadu has been extended But now the people are unable to send their representatives to the State Legislature The people are unable to express the difficulties faced by them through the medium of Legislature The people are as a whole in practical difficulties because they are not able to get their grievances redressed through their elected representatives On behalf of the All India Anna DMK I plead on the floor of the House that the elections to the State Legislature should be conducted at an early date Now, there was a system adopted by the erstwhile Chief Minister of Tamil Nadu—the mass contact system This does neither good to the people nor to the Government I would say that this system should either be followed in its true sense or it should be dropped By taking advantage of the President's rule the DMK power-mongers are threatening the public endangering their life and security During the regime of the DMK Government the party people tried

to engage the Government machinery for their own personal ends The police are indirectly supporting the DMK rowdy elements and some of the Anna DMK volunteers have been threatened and beaten up On top of it, the police registered cases against the Anna DMK volunteers and not the DMK volunteers This fact was brought to the notice of the I G of Police by the Anna DMK leaders But so far no action has been taken by the Police I would request the Government to look into this matter seriously and take necessary steps immediately so that justice is done to the aggrieved persons of Anna DMK There are some pending cases against the DMK leaders and those cases should be expedited I would request the Government to take suitable steps to implement the pending public work schemes that have been left undone by the previous Government In many parts of constituency in Tamil Nadu, there are no village link roads I request the government to look into the matter Only when the villages are linked by proper roads education will improve In my constituency most of the villages are not at all connected by roads So the children find it very difficult to go to school So, I request the government to take steps to construct link roads as soon as possible in an economic way

In Tamil Nadu the farmers have to deposit huge sums to buy a tractor by way of loan This amount should be reduced We know that this government is mainly for the uplift of the poor sections of the people and we hope that the water problem in the villages will be solved Certainly we lend our cooperation and support in eradicating poverty in the country if the will of the people is duly respected and really weighed

On the floor of this House, I request the government to expedite the execution of the work on the Salem

[Shri R. Kolanthalavelu]

Steel Plant. The inter-State water dispute also must be settled as soon as possible. The Kalpakkam atomic power station has been pending for a long time. This must be looked into. The Tuticorin thermal plant also should be given due consideration and the government must take suitable action.

With these words, I conclude my maiden speech.

*SHRI A V P ASAITHAMBI (Madras North) Mr Chairman, I am grateful for this opportunity being given to me to participate in the discussion on the Resolution seeking to extend the President's rule in Tamil Nadu. So far as my party, the Dravida Munnetra Kazhagam, is concerned, there can be no two opinions about the need for holding elections to the Assembly in Tamil Nadu at the earliest. In 1975 State Conference of DMK, we demanded that along with Parliamentary elections the elections to the Assembly also must be held. The former Central Government held the Assembly Elections in Kerala. But they were hesitant to order Assembly elections in Tamil Nadu because they were inhibited by the fear that the Congress Party might not be able to win the elections in the State. The DMK would welcome unreservedly any time the Assembly elections in Tamil Nadu.

It is necessary for me to analyze here the background and the basis on which the President's rule was imposed in Tamil Nadu. This House must know that the duly elected DMK Government was in power in the State. In 1971 General Elections the Congress Party was having alliance with DMK and through its influence and support the Congress Party could get its members elected

to the Lok Sabha and also to the Assembly.

On June 12, 1975 the Allahabad High Court set aside the election of the Prime Minister Shrimati Indira Gandhi to Lok Sabha. Immediately, our DMK President, Dr Kalaignar Karunanidhi declared that Shrimati Gandhi must step down in order to set up firm democratic traditions in the country. This annoyed Shrimati Gandhi and she started nurturing her desire to dismiss the DMK Government in Tamil Nadu. On June 25, 1975, the Emergency was proclaimed all over India, and all the national leaders were put behind bars. On 27th two days after the declaration of the Emergency, the DMK Executive Committee passed a unanimous resolution demanding the revocation of Emergency and the release of all national leaders. The DMK was the first political party to pass such a resolution. Naturally, Shrimati Gandhi's desire to dismiss the DMK Government became a determination. On the basis of a Petition submitted by Shri M G Ramachandran, who parted company with DMK in 1972 on January 31, 1976 the DMK Government—a majority party Government in the State—was dismissed unceremoniously. Even the Governor of the State was kept in darkness about this unholy act. An illegal and anti-democratic act was perpetrated with least compunction.

Many of us were arrested forthwith. From January 31, 1976 the Police was hounding and hunting the DMK members. From February 1 their efforts intensified and 20,000 DMK workers including many leading lights of the party were taken into custody. Under MISA 2,000 persons were arrested. Many prominent leaders of DMK were put in Madras Central Jail. They were put in the Cell in 8th Block where leprosy

*The original speech was delivered in Tamil.

patients had been kept On February 2 at about 7 PM we were taken away from our rooms along with other criminals and we were all cruelly beaten Shri Chitti Babu a former MP from DMK later succumbed to the injuries sustained in this beating Another worker Shri Balakrishnan died in Madurai jail as a consequence of such atrocious action on the part of the police The Jail Superintendent could not have by himself done this He was instigated by a Central Minister for the purpose of instilling fear in the workers of DMK Shri Om Mehta the Central Minister, is reported to have encouraged the Jail Superintendent in this atrocity I demand that a parliamentary inquiry should be ordered immediately in the dispicable conduct of this Central Minister

After the imposition of President's rule Shrimati Indira Gandhi visited Madras and she was gracious enough to announce publicly that water from Krishna river would be brought to Madras as if it could be done in a fortnight One year has gone by after that and till now not even preliminary talks have been initiated with the Andhra State Government for this purpose Is it not a deliberate deception practised on the gullible people of Madras?

The hon Member from Kerala referred to the need of nourishing national integration It has been misconstrued that the DMK preaches separation I have to state with all the force at my command that the DMK is not a party preaching separation It seems to be the other way round Shri C Subramaniam in his speech on the floor of this House spoke glibly about the pattern of voting in the Parliamentary elections—North voting for Janata Party and the entire South voting for the Congress. Inspite of the Allahabad High Court's stigma on her if only Shrimati Gandhi had won in the elections with the majority she has from South. In all probability she might have declared

a separate South India and become its Prime Minister DMK has been preaching for more than three decades the need for national integration. There is no South or North and India is one country DMK has unflinching faith in this

It is being bandied about that there should be a stable Central Government and then only the inter State disputes could be solved amicably Has Cauvery water dispute between Tamil Nadu and Karnataka been solved though there is a stable Government at the Centre for the past thirty years? Has the Pandiyar Ponnampuzha dispute between Tamil Nadu and Kerala been solved though the Congress Party has been in power at the Centre for the past three decades uninterruptedly? Devaraj Urs Ministry and Achutha Menon Ministry in Karnataka and Kerala respectively were toys in the hands of Mrs Gandhi Even then these disputes have not been solved None can touch the unity of the country and none can show his evil designs on the integrity of India India should be and will become a great power in the comity of nations

North India is afflicted by floods with monotonous regularity Similarly there is recurring drought in South In order not only to solve this twin problem but also to foster national integration river Ganga must be linked with river Cauvery Some people have expressed fears about the enormous sum needed for this purpose But once in this very House Dr Ram Manohar Lohia has referred to the need for the creation of a land army We have got more than enough manpower in this country The labour employed for digging canals in different States can be given food and clothing They can be assured of 4 acres or 5 acres of land on the banks of canals dug by them Naturally they will work with all their enthusiasm Besides solving the problem of unemployment, irrigation and

[Shri R Kolanthavelu]

Steel Plant The inter-State water dispute also must be settled as soon as possible. The Kalpakkam atomic power station has been pending for a long time. This must be looked into. The Tuticorin thermal plant also should be given due consideration and the government must take suitable action.

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'Shri A. V. P. Asanthambij

agriculture will also get a fillip by this arrangement. The Janata Party Government should pay attention to this scheme in all seriousness.

In Tamil Nadu two MISA defences died in prison. Many hundred, more have died in North India. I suggest that all the bereaved families must be given a life pension of Rs 1000 a month by the Central Government. Then only we will end our cry by the dead.

It is expected that the President's rule must be impartial and honest. But in Tamil Nadu during President's rule corruption and malpractices have multiplied beyond imagination. The Congress people have secured positions of profit during President's rule. The former Congress Minister Shri Ramaya has become the Vice-Chairman of Planning Body of the State. The former Minister, Shri Rajaram Naidu has become the President of the Housing Board. Even after the ignominious defeat of the Congress Party in the recent elections they are clinging to their seats. Either they must themselves resign or they must be pushed out by the Central Government.

Many have referred to perfidious role of the Governor of Tamil Nadu, Shri Sakthidia, who is reported to have resigned. The Congress Members seem to have become his staunch defenders in this House. It is rumoured that he is likely to become the President of the All India National Congress. At the time of elections he went from village to village and compelled the leaders of villages and their followers to vote for the Congress. Dr Handa, a prominent supporter of the Congress, has attacked his activities during the election. An inquiry must be ordered by the Central Government in regard to his role in the recent elec-

tion. D.P.K. who has ardently welcomed elections to the Assembly in the State and the Central Government must conduct this at the earliest.

With these words, I conclude my maiden speech.

SHRI M. KALYANASUNDARAM (Tiruchirappalli) Mr Chairman this Resolution for the extension of President's Rule in Tamil Nadu I appreciate is inevitable. But, at the same time I will join the previous speakers in urging that the elections to the State Legislature must be held as early as possible and the elections should be as fair and as free as possible. The people must be allowed to have a government of their own choice without any interference from the Centre. This will be the test before the people of Tamil Nadu for the new Janata Government in Delhi. The verdict passed by the people of Tamil Nadu recently during the Lok Sabha elections is clear. They have rejected the DMK, and they have also rejected the Janata. That is why the previous speaker my esteemed friend Shri Asanthambij was so sober in this House. He was waxing eloquent about national unity about linking Ganga with Cauvery. I have no hesitation in supporting him in that demand. They have at least now become wise after their defeat. If the DMK had not been defeated, whether Chaudhuri Charan Singh is sitting here or Shri Morarji is sitting here or Shrimati Indira Gandhi is sitting here nothing can prevent them from fomenting separatist and chauvinist slogans. I am proud that my party and the all India Anna DMK stood in the forefront in fighting against their separatist policy.

SHRI A. V. P. ASANTHAMBI With all the help of ADMK these people could not come here.

SHRI M. KALYANASUNDARAM He was narrating in this House the

suffering, undergone by the DMK people after the dismissal of their Government. Some of them may be true or may not be true. I am not prepared to challenge them. I would sympathise with them if they have suffered because I would not support any action like that. But may I ask Shri Asalthambi whether he has forgotten all the things that were done during the regime when his party was in power. How many political murders took place then? Do not try to hide those facts from this House. The days of misleading this House are over. There was a time when 22 members belonging to that Party were sitting here the most eloquent and very effective speakers. All their top leaders like Karunanidhi, Anbazhagan, Neduchezhiyan were free to campaign as they liked.

SHRI A. V. P. ASAITHAMBI
What about Shri Manoharan?

SHRI M. KALYANASUNDARAM
All the details which the hon. Member Mr. Asalthambi mentioned here in this House were placed before the people. But the people rejected them and gave a clear verdict in favour of the progressive alliance and the policy pursued by the alliance. This is what the Government here should take note of. Do not play with the mood of the Tamil Nadu people. For the first time after nearly 15 years the people of Tamil Nadu have joined the mainstream. The Janata wave is there in a different way. Please listen to my point seriously. I have no political motive. I am only trying to place some facts before this House for the consideration of the new Ministers. After the formation of this Government the DMK is more jubilant than even the Janata Party itself. They are celebrating the victory in the hope that they can hide them-
selves or seek shelter for their crimes.

Secondly, all the blackmarketeers and hoarders have become very active in the past one week. What has happened to cement? The fixed price

of cement is Rs 19.20 but you cannot get a bag of cement anywhere in Tamil Nadu for less than Rs 30 or Rs 31 now. This is the position today. I challenge anyone to contradict me. Thousands of building workers are unemployed. I have visited important centres for two days. All private constructions have come to a standstill. Cement is not at all available in the open market.

Yarn, especially of coarse variety used for making carpets, bedsheets and towels, has shot up by 50 to 60 per cent in the course of one week. It is not available in the open market. Thousands of handloom weavers are starving for want of yarn. Such things are happening. The prices of edible oils, pulses and other essential commodities have shot up. The whole sale traders think that their Raj has come and that they will be free to do whatever they like. In your anxiety to undo everything that was done during the Congress regime, please do not undo the good things that they had done. One good thing that they did was to remove DMK from power and to appoint a Commission of Enquiry. Some other good things have also taken place by way of implementing the 20-point programme, especially giving relief to the rural poor and cultivating tenants.

Today drought conditions are very serious in my State. Even the Cauvery delta is drought-affected. Three lakhs of acres have remained fallow for three years consecutively. The Janata Party leaders are believers in national unity. If you want to preserve the unity of this country, bring the people of Tamil Nadu into the stream of national reconstruction so that we may build a new India. Whatever may be our political attitude towards this Government, we will not be wanting in our efforts for rebuilding and restructuring the national economy of our country. Please take this point seriously.

[Shri M. Kalyanasundaram]

If the Cauvery water dispute was not settled earlier, if the Krishna water does not come to Madras, I will not blame the former Central Government alone, because the DMK Government was the main culprit. Because the DMK was in power, it could not come. Mrs. Gandhi did not announce the decision about the Krishna water suddenly on 15th February. It was there in the Gulhati Commission's report ten years ago. When Mr. Sanjiva Reddy was the Chief Minister of Andhra Pradesh, it was settled that Krishna water would be available to Madras for drinking purposes. That was settled ten years ago.

It is nothing new. The DMK Government failed when they were in power. What is their real demand. How does he explain their attitude regarding the State autonomy and Joint Government at the Centre? They are still pursuing this demand. In Coimbatore, in December 1973, did he not say that if there were elections, Mr. Karunanidhi will be the Chief Minister and if there were no elections, then Mr. Karunanidhi will become the Prime Minister. Is he going to become the Prime Minister of India? Is it not a veiled threat to separate the State?

The drought conditions are very serious there. I would request the Government to send a team there to study the whole thing. Some lasting benefit must be given. The water table is going below, because there is no water in the river. In the non-delta area, it has gone very low. We are in a very unfortunate position. The whole of Tamil Nadu is bleeding due to this, nursery. There is no drinking water available in many villages in all the districts of Tamil Nadu. There the sand is so hot and so dry. That is the position of the Tamil Nadu area. Kindly show some mercy to Tamil Nadu. Please

do not view their problem from a political angle. Please send a team there immediately so that they may study the whole thing and give them relief immediately. If the Centre gives adequate relief, and earns the good will of the people of Tamil Nadu I will have no political jealousy on that.

Recently, there was a railway accident. The Government is being misled here. When I was speaking on the Railway Budget, there was an assurance that the Minister will be very vigilant and he will be able to control even the Railway Board. What is the position? Does anybody know how that accident took place? Does anybody know the real cause of that accident? West Coast Express Train was running at a high speed. When it was passing through Sevoor station, suddenly, the bogies got derailed and so on. What happened to the passengers and the railway workers who were sitting by the side of the cabin. Thirty people must have been killed. The railway authorities said that only six people were killed. Today, they have increased the number to nine. Even today, they are not able to tell the truth about the accident. What kind of enquiry is taking place? The enquiry is there to suppress the facts and hide the causes of the accident. There was a warning when the train was in Salem, that is 150 miles away. The driver again reminded that some peculiar noise was being heard. One of the parts of the coach slipped down and was caught between the wheels when coaches derailed, one after another and capsized.

I would request the Government to hold a proper enquiry into the causes of the accident. The enquiry by the railway inspection officers is not proper; it will not give you the truth about the accident. If you want to get at the truth in the interest of the nation to avoid such accidents in future, you must hold a proper

enquiry Our railways have got a proud record in the matter of accidents

Late Shri Lal Bahadur Shastri had given us an example He was not responsible for that accident The natural causes were there But till he resigned

AN HON MEMBER What about Mr Alagesan?

SHRI M KALYANASUNDARAM Let us emulate the example of Mr Lal Bahadur Shastri, not of Mr Alagesan

SHRI O V ALAGESAN On a point of information

SHRI M KALYANASUNDARAM I am not yielding Two Members cannot speak at the same time He cannot interrupt me I will not allow him to interrupt me

SHRI O V ALAGESAN Who is he to allow or not allow me to interrupt It is for the Chair Sir, on a point of personal explanation

MR CHAIRMAN Since you have referred to him, let him explain

SHRI O V ALAGESAN I placed my resignation in the hands of the then Prime Minister Mr Nehru He advised me not to be hasty He said "Mr Lal Bahadur Shastri has already resigned You do not resign" So, on the advice of that great leader I did not press my resignation Let the House know it

SHRI M KALYANASUNDARAM I want a thorough inquiry to be made into that accident You send a senior officer from the Railway Board and the State railway officer You also depute some senior officer from the Home Ministry It is welcome Let there be a proper inquiry to find out the real causes of the accident so that

proper lessons may be drawn for the future of the safety of the rail travel This is a very serious matter I want a thorough probe into the matter

With these words I resume my seat

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH) Mr Chairman Sir I am glad to find that the resolution has not been opposed by any hon Member And yet long speeches have been delivered I raised a point of order but I was overruled Perhaps, it seems that the hon Members were right in saying what they did The question, however, is whether I can reply to all the points raised from fishery development to railway development and the railway accident The hon Members have covered a very wide field I do not find myself competent to answer all those points raised at such a short notice

I would only refer to three or four specific points that have been made on which the Government can take some action Firstly about the question of drinking water I will see what relief can possibly be extended at the instance of the Government of India as soon as possible I do not know the extent of the problem But as I have said I will do my best so far as the Government of India is concerned

Secondly some cases of excesses committed during the President's Rule were also mentioned

AN HON MEMBER And also during the DMK's regime

CHAUDHURI CHARAN SINGH Here I am concerned only with the President's rule If specific instances are brought to the notice of the Government, I assure my hon friends there that strict action will be taken An inquiry will be held and if the persons who are accused of crimes and excesses committed by them are found guilty, strong action will be taken against them.

[Chaudhuri Charan Singh]

Another point that was made was about the constitution of the Advisory Committee. I said that perhaps no such Committee was necessary. But I find I was wrong. It is a statutory Committee. I understand that the Home Ministry has already taken necessary steps in the matter and soon a Committee will be appointed.

Now there is a question about Hindi. Some of my friends have imported heat into this question but that heat was imported unnecessarily. This Government has absolutely no intention of imposing Hindi on any State or Union Territory.

Now so far as elections are concerned the Resolution itself says that the elections will be held within a few months. Supposing I had said in the Resolution that they will be held 'within three months or within four months or as early as possible' I think matters would not have improved thereby. I have already committed myself to the statement that the elections will be held within a few months and the term 'few months' can include a period of two months to four months also. I am ready to amend the words of the Resolution to read as soon as possible if that will satisfy the Hon Members.

So far as the fairness of the elections is concerned, this question need not have been raised at all. We ourselves have been victims of unfair elections. I therefore assure the Members there that so far as we are concerned, we will do our best to see that the elections are free and fair.

Now I may say that in as much as the people of Tamil Nadu will soon be in charge of their own destiny perhaps no emotion need to be spent over this issue any more. With these words, I hope the Resolution will be accepted, by the House.

SHRIMATI PARVATHI KRISHNAN There were some points regarding closures and so on. Will the Consultative Committee be formed soon and these matters be referred to them, as these are of extreme urgency?

CHAUDHURI CHARAN SINGH The Consultative Committee is being formed very soon.

MR. CHAIRMAN The question is "That this House approves the continuance in force of the proclamation dated the 31st January 1976 in respect of Tamil Nadu, issued under article 356 of the Constitution by the President for a further period of one year with effect from the 10th March, 1977."

The motion was adopted

12.48 hrs.

STATUTORY RESOLUTION RE CONTINUANCE IN FORCE OF THE PROCLAMATION IN RESPECT OF NAGALAND

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH) I beg to move the following Resolution in the House

"That this House approve the continuance in force of the proclamation dated the 22nd March, 1975 in respect of Nagaland, issued under article 356 of the Constitution by the President for a further period of one year with effect from the 26th March, 1977."

The State of Nagaland came under the President's Rule with effect from 22nd March, 1975 the date on which the proclamation under Article 356 of the Constitution was issued by the President. This proclamation was approved by the Lok Sabha on 25th March, 1975 and by the Rajya Sabha on 26th March, 1975. Since then, three extensions of six months each

were approved. The last time the Resolution for further continuance in force of the proclamation in Nagaland for six months, with effect from 26th September, 1976, was passed by the Lok Sabha on 20th August, 1976. The proclamation was thus in force upto and inclusive of 25th March, 1977. The continuance of the proclamation for a period of one year from 26th March, 1977 was also approved by the Rajya Sabha on 1st March, 1977.

If the House is pleased to approve and adopt the resolution I have moved, President's Rule in Nagaland can continue for one more year. This would not preclude elections being held long before the period of one year could expire. Government would like to have such elections as soon as the climatic conditions in Nagaland could permit the holding of elections. Monsoon breaks out in Nagaland much earlier and, therefore, elections would not be possible for reasons of climate in June. But we are most anxious that elections should be held in Nagaland as soon as possible.

I commend the Resolution to this House for approval.

MR. CHAIRMAN There is only one member to speak on this. Shrimati Rano M. Shaiza. She is not here. I shall put the Resolution to the vote of the House. The question is—

"That this House approves the continuance in force of the Proclamation dated the 22nd March, 1975, in respect of Nagaland issued under article 356 of the Constitution by the President, for a further period of one year with effect from the 26th March, 1977."

The motion was adopted.

17.52 hrs.

CALTEX [ACQUISITION OF SHARES OF CALTEX OIL REFINING (INDIA) LIMITED AND OF THE UNDERTAKINGS IN INDIA OF CALTEX (INDIA) LIMITED] BILL

THE MINISTER OF PETROLEUM AND CHEMICALS & FERTILISERS (SHRI H. N. BAHUGUNA) Sir, I beg to move*

That the Bill to provide, in the public interest, for the acquisition of the shares of Caltex Oil Refining (India) Limited and for the acquisition and transfer of the right, title and interest of Caltex (India) Limited in relation to its undertakings in India and thereby to secure that the ownership and control of the petroleum products produced by the Caltex Oil Refining (India) Limited, and marketed and distributed by the said undertakings in India are so distributed as best to subserve the common good, be taken into consideration.

This is a Bill which helps this nation to have control over one of the most strategic areas of its economy connected with both development and defence. The Caltex and the other concerns which are being taken over have been doing their business in this country for quite some time. Nevertheless, it has been the consistent policy followed by the nation to own and conduct the affairs connected with this sector of our industry through the system of public ownership, that is almost a national consensus, a national policy. It is, therefore, proposed to take over all these interests, and provision therefor has been made.

One thing is true that this take-over is through the agreement arrived at between the predecessor Government and Caltex (India) Limited, and this Government would not like to go back upon that agreement. Therefore, we have brought forward this Bill providing for the same type of compensation as was agreed upon between the predecessor Government and the Caltex whose interests we propose to take over. I hope that the House will welcome this measure and

*Moved with the recommendation of the Vice President acting as President.

[Shri H N Bahuguna]

give us the benefit of their advice. Hereafter we have only a tiny company the Assam Oil Company which is outside public ownership India in this manner, has acquired 99 per cent of its oil industry as public-owned enterprise I hope the good wishes and the cooperation of the Members of this House and our working class the workers and officers connected with this industry, will help us to tide over the difficult situation which we find ourselves in relation to oil and oil products

With these words I commend the Resolution to the House for its approval

MR CHAIRMAN Motion moved

"That the Bill to provide in the public interest for the acquisition of the shares of Caltex Oil Refining (India) Limited and for the acquisition and transfer of the right title and interest of Caltex (India) Limited in relation to its undertakings in India and thereby to secure that the ownership and control of the petroleum products produced by the Caltex Oil Refining (India) Limited, and marketed and distributed by the said undertakings, in India are so distributed as best to subserve the common good, be taken into consideration"

DR HENRY AUSTIN (Ernakulam) Mr Chairman, Sir, I heartily welcome this Bill moved by hon Shri Bahuguna, Minister of Chemicals and Fertilizers My mind goes back to the early sixties when as General Secretary of the Petroleum Workers' Union, we submitted a memorandum to the then Minister for Petroleum representing that all the then existing foreign oil companies such as Burmah Shell Esso, S.V.O.C., Caltex etc. be nationalised At that time, some sections of the press criticised the workers for bringing forward such a move They thought that the skies would fall down if these foreign companies were nationalised. They

thought that these companies were strong pillars of our economy and without the support of these foreign companies our economy could not be sustained Much water flowed under the bridge since then and every time when moves were made and bills were introduced to nationalise Burmah Shell, Esso and other companies, we had supported them As the hon Minister has said, with this almost 99 per cent of the oil companies have been brought under Government only one per cent is left

Sir I would like to point out that the problems arising out of the taking over by the Government of these privately-owned foreign companies have not been solved particularly relating to workers In my constituency there was a tin factory owned by Esso when it was nationalised. There were about 150 workers in that factory Consequent on the taking over of that company, this tin factory which was an integral part of the establishment was left in the lurch The workers have been making repeated representations to the former Minister for Petroleum, Shri K. D. Malaviya that they may be allowed to continue they are prepared to form a cooperative society to manage that factory in Ernakulam There is a move for selling that factory to some private capitalist When the workers are coming forward to run this factory after forming a cooperative society it is incumbent on the part of the Government to provide requisite facilities to enable the workers to run that factory Kindly look into this aspect as also in general to the other aspects concerning employees when you take over the Caltex Company and see that the workers are given proper compensation, where required, and proper arrangements are made for them for employment and other service conditions

1800 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Wednesday April 6, 1977/Chaitra 16, 1899 (Saka).

CONTENTS

No. 10, Wednesday, April 6, 1977/Chairra 16, 1899 (Saka)

COLUMNS

Oral Answers to Questions:

*Starred Questions Nos. 21 to 28 2—31

Short Notice Question No. 3 31-32

Written Answers to Questions:

Starred Questions Nos. 29 to 40 33—41

Unstarred Questions Nos. 51 to 151 41—121

Question of Privilege—

Allegedly making of a policy statement by the Minister of Health and Family Planning outside the House re-compensation to victims of forcible sterilisation. 121—25

Papers Laid on the Table. 125—59

Financial Committees (1976-77)—A Review 159

Parliamentary Committees—Summary of Work 159

Caltex [Acquisition of Shares of Caltex Oil Refining (India) Limited and of the Undertakings in India of Caltex (India) Limited] Bill—

Motion to Consider

Shri O V. Alagesan 159—64

Shri Dinen Bhattacharya 164—67

Prof. R.K. Amin 167

Shri Chitra Basu 167—70

Shrimati Parvathi Krishnan 170—72

Shri M. Ram Gopal Reddy 172-73

Shri Vinodbhai B. Sheth 174-75

Shri Vayalar Ravi 175—79

Shri H.N. Bahuguna 179—90

Clauses 2 to 24 and 1 191—208

* The sign + marked above the name of a Member indicates that the question was actually asked on the floor of the House by that Member.

Motion to pass, as amended—

Shri H N Bahuguna 208

Petroleum Pipelines (Acquisition of Right of USSR in Land) Amendment Bill—

Motion to consider—

Shri Biju Patnaik 209, 211-12

Shri Krishna Chandra Halder 209-12

Clauses 2 to 11 and 1 212-15

Motion to Pass—

Shri Biju Patnaik 215

Prevention of Publication of Objectionable Matter (Repeal) Bill—

Motion to consider— 216-97

Shri L K Advani 216, 294-97

Shri J Rameshwar Rao 217-18

Shri Jagannath Sharma 218-23

Shri K. Mayathevar 222-25

Dr Ram Jee Singh 225-29

Shri Somnath Chatterjee 229-34

Shri P Rajagopal Naidu 234-35

Shri R P L Verma 235

Shri S Kundu 235-39

Shri Vayalar Ravi 239-43

Shri Uggrasen 243-48

Prof P G Mavalankar 248-54

Shri C.M. Stephen 254-65

Shri Kanwar Lal Gupta 265-71

Shri Sougata Roy 271-76

Chowdhry Balbir Singh 277-79

Shri A K Roy 279-81

Shri Narendra P Nathwani 281-88

Shri Gauri Shankar Rai 288-93

Clauses 2 and 1 298

Motion to pass—

Shri L K Advani 298

LOK SABHA DEBATES

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2

LOK SABHA

Wednesday, April 6 1977/Chaitra 16,
1899 (Saka)

The Lok Sabha met at Eleven of the
Clock

[MR SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

MR SPEAKER Before we take up the Question-Hour, I would like to have the co-operation of the hon. Members

There are twenty questions on the Question List. If you want a large number of questions to be answered then you must confine yourself to one or two supplementaries only. But if you are going to ask quite a number of supplementaries, then only two or three questions will be covered in a day.

SHRI DINEN BHATTACHARYYA: It all depends upon the merits of the question.

MR SPEAKER If you want I do not mind but only one or two questions we can cover in a day. If all of you get up it will be difficult and also very embarrassing to the Chair. Therefore I would say, let us have only two supplementaries in regard to a question.

Shri Dinesh Joarder

Government's Policy towards "Samachar"

+

*21 SHRI DINESH JOARDER:

SHRI S G MURUGAIYAN

Will the Minister of INFORMATION AND BROADCASTING be pleased to state

(a) whether any change regarding Government policy towards "Samachar" News Agency is contemplated, and

(b) if so, the main features thereof?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI) (a) With a view to safeguarding freedom of Press and ensuring that there is no monopoly in the news agency operations Government is giving a fresh look to the entire question of policy regarding "Samachar" News agency.

(b) Does not arise.

SHRI DINESH JOARDER I am glad that the Government is going to have a fresh look at the policy and the functioning of the Samachar News Agency.

I would like to know from the hon. Minister that in view of the last 19 or 20 months of emergency and the manner in which these News Agencies like PTI, UNI and other agencies have been merged together and forcible and coercive measures taken to unify these different news agencies into one Samachar News Agency and also the repression and atrocities unleashed on the journalists, particularly, reporters of the news agencies, I want to know from the Minister as

to have many of them have been the victims of these repressive measures of the former Congress Government and how many of them have been arrested under the MISA and the different punitive measures taken against them? I also want to know

MR. SPEAKER Too wide a question—what is the number of people arrested and all that does not arise out of it

SHRI DINESH JOARDER What action do the government propose to take to safeguard the journalists from any possible future atrocities?

SHRI L. K. ADVANI Mr Speaker Sir as you have pointed out, the question pertains to the re-organization of the Samachar. Of course in the course of what has been happening about the amalgamation of the news agencies if there are any cases of victimisation, the Ministry has always been prepared to review and take the necessary remedial steps in that regard. Government have no intention of conducting any roving inquiry into the matter. But if specific instances are brought to the notice of the government they will certainly be looked into.

SHRI DINESH JOARDER I would like to know from the hon. Minister when this policy will be reconsidered whether they will also consider how these small and medium news papers and other journals can have the supply of news items from news agencies at a cheaper cost and what other machinery can be set up for the supply of news items to different newspapers all over the country particularly regional language newspapers.

SHRI L. K. ADVANI It is the Government's policy to protect the interests of the small and medium newspapers and in the scheme of re-organisation which we may undertake this will certainly be taken into account.

DR. MURLI MANOHAR JOSHI Is the Government thinking of setting up Press Advisory Body so that democratic norms be established between the Government and the Press?

SHRI L. K. ADVANI The question relates to the wide 'freedom of press' in the country. The Ministry is presently seized of the entire issue.

So far as the main issue of Samachar is concerned, I hope to make a comprehensive policy statement before this session ends.

श्री यशुना प्रसाद शास्त्री अध्यक्ष महोदय मैं आपके द्वारा माननीय श्री महोदय से जानना चाहता हूँ कि जिन समाचार एजेंसियों को मिलाया गया है क्या सरकार उन समाचार एजेंसियों को फिर से प्रयोग करने पर विचार करेगी? श्री टी. टी. वेंकटेश्वर एन. एन. श्री, हिन्दुस्तान समाचार और समाचार भारती—इन समाचार एजेंसियों को पिछली सरकार ने मिनाकर एक न्यूज एजेंसी बनाई जिसके पीछे उद्देश्य यही था कि वह सरकारी नियंत्रण में रहे लेकिन नई सरकार इस उद्देश्य को धनोत्तर काम नहीं करना चाहती क्या सरकार निश्चित रूप से यह निर्णय लेना चाहती है कि चारों समाचार एजेंसियों को फिर से प्रयोग प्रयोग काम करने का अवसर प्रदान किया जाये?

श्री सात कृष्ण मस्वाननी जहाँ तक मेरा सरकार की नीति का सम्बन्ध है वह बहुत स्पष्ट है कि हम समाचार एजेंसियों पर सरकारी नियंत्रण के विरुद्ध हैं। दूसरी बात यह है कि न्यूज एजेंसीज के क्षेत्र में हम एकाधिकार को भी उचित नहीं समझते हैं। लेकिन ध्यान जो एमिलगमेशन हो चुका है उस स्थिति को बदलने के लिए क्या उपाय उचित रहेंगे इसके बारे में हम जरूर सलाह करना चाहेंगे विशेषकर इस बात को ध्यान में रख कर कि समाचार में काम करने वाले कमचारियों के हितों को कोई हानि न पहुँचे।

Denial of Advertisement to certain Newspapers etc.

*22 SHRI DINEN BHATTACHARYA Will the Minister of INFORMATION AND BROADCASTING be pleased to state

(a) names of the daily, weekly and other periodicals to whom advertisements were suspended by the former Government, and

(b) whether the suspension orders have been cancelled?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI) (a) A list of newspapers whose advertisements remained discontinued as on 20-3-1977 is laid on the Table of the House [Placed in Library See No LT-100/-77]

(b) Each case is being examined on merits for revocation of the suspension orders especially those issued on political grounds. Orders in 81 cases out of 100 have already been reviewed and rescinded.

SHRI DINEN BHATTACHARYA May I know what is actually the basis of review or what are the points that are considered while reviewing these cases?

SHRI L. K. ADVANI As I have already stated in my reply, where it seems almost obvious that the discontinuance of advertisements to a newspaper or a journal has been politically motivated or was because of the independent views of that paper, the review has already been done and orders have been rescinded. It has not been difficult to see that the status quo ante as existed in June 1973 is restored. But I may point out that in certain cases where the stoppage of advertisements is because of the 'curious content of any paper, there the Government would have a different view. Therefore, out of 100 cases that were brought to me till

now, in 81 cases orders have been rescinded.

SHRI DINEN BHATTACHARYA May I know whether the list that has been given here is complete? So far my knowledge goes the monthly papers to which the advertisements come from the Government agencies were stopped. 'EK SHATHE' is one such Bengali Journal published by a women organisation in West Bengal. There is another paper called JAISHRI. May I request the Minister to look into the cases of the papers in whose cases ban was imposed by the previous Government? Will he see that these cases are looked into immediately and necessary steps undertaken to sanction advertisements to these papers?

SHRI L. K. ADVANI I would be grateful if any hon. Member points out specific cases. I will certainly look into them.

SHRI M. RAM GOPAL REDDY Man is a political animal. The Minister is a politician. May I know whether he is going to rise above politics and to do justice to every paper in the country?

SHRI L. K. ADVANI We are committed to the policy of not discriminating against anyone on political grounds.

DR. SUBRAMANIAM SWAMY May I know whether some newspapers were driven to the stage of starvation let alone not being granted advertisements? I can quote the example of Motherland for instance. May I know whether the Government is going to make amends for the action of the previous Government which drove such newspapers to extinction? Also may I know whether the Government will institute an inquiry into the whole action of the previous Government vis-a-vis the Motherland?

not been included in this number. Actually, this number will run into several thousands in the whole of the country. I would like to know whether the government proposes to enquire into the details of the cases which are pending against them and what is the immediate step going to be taken about these cases?

CHAUDHURI CHARAN SINGH

My reply is based on the information supplied by the State Governments. If the hon. Member wants I will make further enquiries from the State Governments.

SHRI PRADYUMNA BAL Mr

Speaker Sir I have personal information as I have enquired into these cases as a member of a committee two years back that physical atrocities by the police and executive authorities were committed on the body of these prisoners. We found marks on their bodies. Hot iron plates were put on the breasts of a woman prisoner who was housed in Koraput jail. Her husband was also tortured who is also in Koraput jail. I would like to know whether enquiries will be made into such cases and the guilty punished. Some of the so called Naxalites have been killed in cold. All this merit investigation.

MR. SPEAKER The Home Minister has already said that he will make further enquiries.

SHRIMATI PARVATHI KRISHNAN I would like to know from the

hon. Minister in the context of the conditions in which these prisoners are being kept whether instructions have been issued that they should be treated as political prisoners and given proper treatment. Secondly, those cases which are pending whether they will be released on parole and given bail so that the conditions under which they are suffering are ameliorated?

CHAUDHURI CHARAN SINGH

I have already said that instructions are being issued for their release. As such, no further question about their treatment arises.

SHRI KRISHAN KANT May I

know from the hon. Home Minister whether he will enquire into the whole situation as the reply he has got from the State governments was because of the word 'detained' and not 'arrested under various charges'. There are thousands of people in prison on whom cases are being conducted for the last about ten years and the cases have not progressed much. In this connection may I also submit that because of the policy of the new government and the situation in the country whether his attention has also been drawn to the Resolution passed by CPI(M.L.) on the 1st April, which shows that they are trying to abjure the application of violence and they are saying that CPI(M.L.) is eager to participate in the democratic processes and eager to participate in the coming elections. In view of the new atmosphere they have created, will they see that the leadership of all the parties is released so that they can join with all of us to fight the wrong forces and join the mainstream of Naxalites?

MR. SPEAKER The latter portion is not necessary as part of the question.

CHAUDHURI CHARAN SINGH

Am I expected to give a reply to the hon. Members?—There can possibly be only four categories those who are detainees and no case is pending against them. About them I have already explained the Government's policy that the orders are being issued for their immediate release. There is another category against whom investigations into acts of violence are being carried on. We have asked for expeditious investigation. There is yet a third category of cases which are under trial. We

are still asking the State Governments to expedite the trial and to do their best to see that the cases are finalised as early as possible. There is yet a fourth category of those people who are being convicted. As regards these convictions, our policy is that they must run their full course. Law must have its course in regard to these gentlemen.

SHRI JAGANNATH RAO May I know from the hon. Minister if a reference has been made to the Orissa Government about the number of Naxalites in Orissa prisons including those against whom some cases are pending because Naxalite activities in Orissa are on the border and I know in the Koraput district some Naxalites are in prison. I want to know whether any reference has been made to Orissa Government and what is the reply of the Orissa Government, because the hon. Minister has said that the information received from the State Government says that none from Orissa seems to be in jail.

CHAUDHURI CHARAN SINGH I am having queries made from all the State Governments.

DR. BALDEV PRAKASH I would like to know from the hon. Home Minister that he has just said that in case of violence State Governments have been asked to expedite the investigation. But we know that the cases of violence have been falsely fabricated. In those cases the Union Government will take universal steps to institute an independent Central enquiry to go into cases whether they are false cases or even those false cases were against us when we were put into jail. So what steps the Central Government will take to investigate whether those cases are false cases or true cases of violence had happened.

CHAUDHURI CHARAN SINGH It is only the courts which will be

able to decide whether the cases are false or true. In such cases which are under trial Government cannot possibly appoint any other authority to decide whether they are actually guilty or not. It is for the courts to decide. I can only say that the proceeding authorities will take notice of the attitude of the Government but we cannot say to them that the cases be withdrawn which, perhaps, the courts will not allow and there may be fresh investigation for them.

श्री मधू तिमये नयाकियत नवसल
वाशिया श्री नवसलवादी हिंदियो के ऊपर
जो अतए चार किए गए हैं जैसे भागलपुर
विश्वविद्यालय के प्रो० चक्रवर्ती के एक
सदस्य को प्रशांत कुमार का भागलपुर जेल
में बाहर लाया गया और गोरी से पुलिस ने
मार दिया और रिपोर्ट कर दी कि वह भाग
रहे थे इसलिए उनका मारा गया है उनमें
का केन्द्रीय सरकार स्वयं कुछ दखल देगी
बिनासित मौजूद है इस के बारे में। इस
तरह के जो उदाहरण हैं क्या उनकी जांच
करवाने के लिए कोई हिदायत राष्त्रा का
हो जायेगी या केन्द्रीय सरकार स्वयं इन
मायवों में कुछ दखल देगी ?

श्रीमती चरण सिंह भार मातृवीय मित्र
मेरे मोटा में ऐसे कोई केसिंग लाएंगे तो
सरकार स्टेट गवर्नमेंट का हिदायत देगा
कि वे उनको इन्वेस्टीगेट करें और यह
गवर्नमेंट हम मिलसिले में मसूदा नहीं होगी
तो हम हम बात पर विचार करेंगे कि केन्द्रीय
सरकार उन सिलसिले में क्या कर सगी
है।

DR. SUSHILA NAYAR I should like to know from the hon. Minister, how many of those prisoners were women? Has the hon. Minister any information with regard to the torture committed on women prisoners?

CHAUDHURI CHARAN SINGH I have no information.

Grievances of Staff Artists of A.I.R.

*24 SHRI SAMAR MUKHERJEE. Will the Minister of INFORMATION AND BROADCASTING be pleased to state

(a) whether the attention of the Government has been drawn to long standing grievances of the Staff Artists of All India Radio

(b) if so the facts thereof and

(c) steps proposed to be taken in this regard?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI) (a) Yes Sir

(b) and (c) The grievances of Staff Artists are brought to the notice of the Government from time to time through various sources and during Informal Consultative Committee meetings held with the Staff Artists Union at Ministry, Directorate and Station level, through individual representations through Members of Parliament or other public figures. Such grievances are looked into and wherever feasible, removed. The long standing grievances of the Staff Artists mainly relate to the betterment of their fee scales grant of retirement benefits and providing of more promotional channels. A statement in this regard is laid on the Table of the House.

STATEMENT

Some of the more important and long standing grievances of Staff Artists and the action taken on them.

S No.	Grievances	Action taken/proposed to be taken
1	Revision of fee scales on the basis of the recommendations of the Third Pay Commission.	Fee scales of Staff Artists have been revised in Jan-1976. They have been given effect from 1-1-1973.
2	Grant of retirement benefits.	Staff Artists have been made eligible for gratuity under certain conditions in addition to C.P.F. with effect from 1st December, 1975.
3	Providing more promotional channels.	The Recruitment Rules of Staff Artists were revised in 1976 with a view to provide more promotional channels.

SHRI SAMAR MUKHERJEE.

From the statement it appears that whatever action had been taken, had been taken by the past government. After the installation of the new government, may I know whether any new representation had been received about their demands and whether the government had given any consideration to those demands and if so what is the result?

SHRI L. K. ADVANI There have been some representations made individually. I propose to meet the association people and other artists

also shortly after the session is over. I have been trying to acquaint myself with their problems. I have categorised the three main problems that were there for a long time. By and large I can say that today the staff artists, broadly speaking, are on par with other government employees, the main difference being with regard to pension. They are not eligible to pension as government employees are, but that is in a way compensated by the gratuity provided to them. On that point also there are some grievances and they would be looked into.

श्री उपसैन : अध्यक्ष महोदय, माननीय मंत्री जी के उत्तर से सम्बन्धित। क्या मंत्री जी उन की शिकायतों को दूर करने के लिए यह बात मोच रहे हैं, इस पर विचार कर रहे हैं, कि आकाशवाणी और दूरदर्शन को एक कोरपोरेशन बना दिया जाय और इन के कर्मचारियों को भी उस में प्रतिनिधित्व दे दिया जाय ताकि अपने मामले स्वयं निपटा सकें ?

श्री लाल कृष्ण भाट्टावादी : वैसे यह एक व्यापक सवाल है। इस के बारे में हमारी सरकार की नीति है कि देश के अन्दर आकाशवाणी और दूरदर्शन जैसे माध्यमों को एक स्वायत्त निकाय होना चाहिए। लेकिन स्टाफ ग्रॉटिस्ट्स के सवाल ऐसा है कि कोई भी स्टुवचरल चेंज हम करें या न करें लेकिन स्टाफ ग्रॉटिस्ट्स के प्रीवालेज हम को सुलमाने चाहिए, इस के बारे में कोई भी मत नहीं है।

Deaths of Detenus in Jail or on Parole during Emergency

*25. SHRIMATI BISHA GHOSH GOSWAMI:

SHRI BASANT AHMAD:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) the total number of detenus State-wise who died in jail during the period of emergency;

(b) whether Government propose to institute an enquiry into the conditions leading to their deaths while in prison; and

(c) the number of detenus who died while on parole?

THE MINISTER OF HOME AFFAIRS CHAUDHURI CHARAN SINGH: (a) and (c): A statement showing total number of persons detained under the Maintenance of Internal Security Act, 1971, who either died in custody or while on parole during the period of emergency in various States and Union Territories, except Haryana, Madhya Pradesh and West Bengal, is laid on the Table of the House.

The information in respect of the States of Haryana, Madhya Pradesh and West Bengal is being collected and will be laid on the Table of the House.... ((Interruptions)).

SHRI DINEN BHATTACHARYA: They will never supply.

CHAUDHURI CHARAN SINGH: I am not so pessimistic

(b) The State Governments are being advised to hold a Magisterial enquiry into all cases of deaths of MISA detenus in custody wherever it has not been conducted so far.

STATEMENT

Number of persons detained under the Maintenance of Internal Security Act, 1971, who either died in custody or while on parole during the period of emergency in various States and Union Territories except Haryana, Madhya Pradesh and West Bengal.

Sl. No.]	Name of the State/Union Territory	Number of detenus	
		who died in custody	who died on parole
1.	Andhra Pradesh	Nil	1
2.	Assam	Nil	Nil
3	Bihar	4	Nil

S No.	Name of the State/Union Territory	Number of detenues who died in custody	Number of detenues who died on parole
4	Gujarat	4	3
5	Himachal Pradesh	1	Nil
6	Jammu & Kashmir	2	Nil
7	Karnataka	1	Nil
8	Kerala	1	Nil
9	Maharashtra	10	2
10	Manipur	Nil	Nil
11	Meghalaya	Nil	Nil
12	Nagaland	Nil	Nil
13	Odisha	Nil	Nil
14	Punjab	Nil	Nil
15	Rajasthan	Nil	Nil
16	Sikkim	Nil	Nil
17	Tamil Nadu	2	Nil
18	Tripura	Nil	Nil
19	Uttar Pradesh	14	(information awaited)
<i>Union Territories:</i>			
1	Arunachal Pradesh	Nil	Nil
2	Andaman & Nicobar	Nil	Nil
3	Chandigarh	Nil	1
4	Dadra & Nagar Haveli	Nil	Nil
5	Delhi	2	2
6	Goa, Daman and Diu	Nil	Nil
7	Lakshadweep	Nil	Nil
8	Mizoram	Nil	Nil
9	Pondicherry	Nil	Nil
		41	9

The information in respect of the State of Haryana, Madhya Pradesh and West Bengal is awaited.

SHRIMATI BIBHA GHOSH GOSWAMI I would like to know from the Hon'ble Minister what the present Government proposes to do in regard to the families of those who died in prison.

CHAUDHURI CHARAN SINGH Government will consider this suggestion very sympathetically

SHRIMATI BIBHA GHOSH GOSWAMI Whether Government has any intention in the matter of providing employment and other facilities to the sons and daughters of those who died in jail?

CHAUDHURI CHARAN SINGH All I can now say is that this suggestion will be considered by the Government. But I cannot make any commitment

SHRI BASHIR AHMAD So many atrocities were committed on the people by the former regime and the people were put to untold sufferings. In today's 'The Statesman' newspaper the former Prime Minister defended herself and her son even today. And not only that. She had also accused some of the former opposition members that the charges were made on false allegations. Now I would like to know when the Commission of Enquiry would be instituted. Whether it would go into the various charges against those involved in the perpetration of atrocities on the people who were in jail? Whether the Hon'ble Minister is aware of the fact that one film actress Mrs. Snehlata was also tortured and after her release she died? I want to know whether the Enquiry Commission will go into these matters. A Magisterial enquiry on these matters is hardly sufficient to find out the extent of atrocities that have been committed on the people. A large number of persons have died as a result of atrocities committed on the people while in jail. Will the

Hon'ble Minister be pleased to tell us when will the Commission of Enquiry be instituted?

CHAUDHURI CHARAN SINGH Although you will permit me to say that the Supplementary does not arise out of the questions here still I can assure the hon Member that the question of High Power Enquiry to go into the atrocities committed during the Emergency is under active consideration of the Government and perhaps I will be able to make a statement on this on the floor of the House tomorrow

SHRI RAMA CHANDRA MALICK Mr Speaker Sir, I want to know from the Hon'ble Home Minister through you regarding the persons who were detained under the MISA. Out of those who were detained under MISA, 50 persons have died so far—41 in jail and 9 on parole. This information is as per the Government report. I want to know whether any financial assistance or interim relief has so far been given or proposed to be given to the family members by the State Governments concerned or by the Central Government after considering their financial position.

CHAUDHURI CHARAN SINGH I am sorry I have not been able to follow the question.

MR. SPEAKER Next question.

Enquiry into the behavior of Press Censor Officials

*26 SHRI KRISHNA CHANDRA HALDER Will the Minister of INFORMATION AND BROADCASTING be pleased to state whether the Government propose to institute an enquiry into the methods and behaviour of the press censor officials while censoring the newspaper manuscripts in various States?

S No	Name of the State/Union Territory	Number of detenus who died in custody	Number of detenus who died on parole
4	Gujarat	4	3
5	Himachal Pradesh	1	Nil
6	Jammu & Kashmir	2	Nil
7	Karnataka	1	Nil
8	Kerala	1	Nil
9	Maharashtra	10	2
10	Manipur	Nil	Nil
11	Meghalaya	Nil	Nil
12	Nagaland	Nil	Nil
13	Orissa	Nil	Nil
14	Punjab	Nil	Nil
15	Rajasthan	Nil	Nil
16	Sikkim	Nil	Nil
17	Tamil Nadu	2	Nil
18	Tripura	Nil	Nil
19	Uttar Pradesh	14	Information awaited

Union Territories

1	Arunachal Pradesh	Nil	Nil
2	Andaman & Nicobar	Nil	Nil
3	Chandigarh	Nil	1
4	Dadra & Nagar Haveli	Nil	Nil
5	Delhi	2	2
6	Goa, Daman and Diu	Nil	Nil
7	Lakshadweep	Nil	Nil
8	Mizoram	Nil	Nil
9	Pondicherry	Nil	Nil

41

9

The information in respect of the State of Haryana, Madhya Pradesh and West Bengal is not available.

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THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI) There is no proposal for a general, formal enquiry. If however any specific complaints are made they will be enquired into.

SHRI KRISHNA CHANDRA HALDER May I know whether the government is aware of the fact that the Ministry and the Chief Censor Officer issued directives from time to time and whether those directives will be placed on the Table of the House? I also want to know the names of the papers and journals which were forced to stop their publication as per those directives. I also want to know whether the former Information & Broadcasting Minister himself intervened through his officers to ensure that the news of the attack against his rival candidate Shri Kaushik and his supporters was suppressed by the local press at the time of the election and if so whether the government would enquire into the conduct of the former Information & Broadcasting Minister during the period of the emergency?

SHRI L. K. ADVANI I have no objection to laying on the Table the guidelines that were issued by the censors to the press. I will try to get a full and comprehensive glimpse into the working of the censorship machinery. About the case just cited I am aware that some news which related to the attack on the rival candidate in the election was sought to be suppressed and some action was taken to remedy it.

SHRI KRISHNA CHANDRA HALDER He said he would lay the guidelines. I asked about the directives.

SHRI L. K. ADVANI The purpose of the question would be served

if we have a view of the guidelines. I would have to go into the directives in detail. There have been a large number of directives and directions, many of them orally and a few of them in writing. This Government's position is that censorship no longer exists. All the guidelines have been withdrawn and the entire set-up also has been in a way wound up.

SHRI KRISHNA CHANDRA HALDER My second supplementary is—

MR. SPEAKER You have already put it. Mr. Kundu.

SHRI S. KUNDU During the period of emergency, we passed through an era of aggressive publicity launched by the then Minister of Information & Broadcasting.

AN HON. MEMBER By the Prime Minister.

SHRI S. KUNDU During that black era the free arm of the press was systematically and deliberately twisted and the censor was used as an evil instrument. The I&B Ministry used the entire instrument of information & broadcasting the censor, the TV, the press to propagate lies and untruth which even Goebbels will fight shy of doing. Now, the hon. Minister said about the guidelines. Some censors in order to please the Ministers and the Prime Minister did something which was not covered in the guidelines. There are so many cases. Take the case of *The Indian Express*, *The Statesman*, *The Janata* etc. Many language dailies—I do not want to go into that. I would like to know whether the hon. Minister would make an announcement that such cases where even the censors had crossed the bounds of the guidelines would be enquired into and suitable action would be taken. Secondly the hon. Minister would kindly assure this House that the entire action of the Information & Broadcasting Ministry would also be enquired into and a report would be placed on the Table of the House. 7

SHRI L. K. ADVANI I would not deny that in many of the directions that have been brought to my notice, I find that they did not come within the purview of the guidelines. But in all the cases that have been brought to my notice I feel it has been done under the direction of the Minister at that time.

PROF P. G. MAVALANKAR The question relates specifically to the methods and behaviour of the press censor officials. My friend the Minister has just now said that Government policy is not to have an overall general review of the entire practice of censor officials. In view of the fact however that the methods and behaviour of many of the press officials involved not only giving orders orally but doing things without even oral orders in order to please the higher ups and prove to be holier than holy, what kind of action Government propose to initiate *suo motu* on the complaints received from press proprietors and editors, from reporters and columnists of newspapers, weekly magazines, etc.? I as a writer and columnist was also one of the victims of this kind of obnoxious and ugly press censorship when we were not allowed to print our weekly paper by the orders which did not come to us directly but through the orders which did go to the printer. All these things are required to be enquired into so that not only in my life time and in the life time of the Minister but in the entire life time of the Nation such things do not happen.

SHRI L. K. ADVANI I agree in toto with the hon. Member when he said that it should be our responsibility to enquire into obnoxious and ugly things of this kind which are in a way a blot on the otherwise very remarkable history of press freedom in India so that such things do not occur again. Statutory safeguards and even at the administrative level, remedial safeguards are being processed. I would be willing to be guided by your advice also.

श्री राम नरेश ब्रह्मबाहा अध्यक्ष महोदय मे शब्दस्था का प्रश्न उठाता चाहता हूँ। हम लोगों को जा प्रश्नों की सूची मिली है उसमें 1 और 2 नम्बर का प्रश्न नहीं है। प्रश्न नं० 3 हमें मिला है। बाकी 1 और 2 नम्बर के प्रश्न डी लिस्ट हैं।

MR. SPEAKER It will come after the Question Hour.

PROF. DILIP CHAKRAVARTY I would like to know whether the Minister of Information and Broadcasting is aware that the Calcutta station of All India Radio was prevented from having Tagore's songs sung from the All India Radio. His song "Ekla Chalore" which was very popular with Gandhiji himself was prevented from being broadcast by it and the famous poem "Prithvi" was being prevented from being recited on Air Calcutta. This was done during Emergency. Is the Minister of Information and Broadcasting aware of it? What steps is he going to take? Is the Minister aware that in tune with the India is Indira theory the former Prime Minister's teachings were being monitored through the All India Radio even a few hours before asking the voters to vote for Congress? What steps are going to be taken in this connection?

SHRI L. K. ADVANI Instances of the type of blacking out of Tagore's song "Ekla Chalore" as the hon. Member has just pointed out have come to my notice. They are very unfortunate. We would see to it that nothing of this kind recurs not merely during our tenure but forever in India.

Naval Training Centre at Chilka

***27 SHRI GANANATH PRADHAN** Will the Minister of DEFENCE be pleased to state

(a) whether construction work of Naval Training Centre at Chilka in Orissa has already started

- (b) if so the facts thereof and
(c) when it is to be completed?

THE MINISTER OF DEFENCE
(SHRI JAGJIVAN RAM) (a) Yes,
Sir

(b) and (c) The land has been acquired. The civil works have been divided into two phases. Phase I has been further split into two sub-phases. The first sub-phase is planned to make the establishment functional with minimum facilities. This sub-phase involving an expenditure of Rs 2.2 crores is under execution and is expected to be completed in early 1979. The second sub-phase involving an expenditure of about Rs 1.19 crores will provide other facilities and amenities for the establishment, and is expected to be completed by the end of 1979. Phase II of the project will be taken up after the completion of Phase I.

The Boys Training Establishment will start functioning as soon as the first sub-phase of Phase I is completed.

श्री गणनाथ प्रधान मैं माननीय मंत्री जी से जानना चाहता हूँ कि पहले किनन गपों का बजट था और किनना काम हुआ और उसमें क्या क्या बटिना दिया है अतः कारण दीजिए कि काम नहीं चल पा रहा है ?

श्री जगजीवन राम काम तो चल रहा है । 1979 के प्रारम्भ में पहला फेज पूरा हो जायेगा और उसके बाद लड़कों की भर्ती शुरू हो जायेगी ।

श्री गणनाथ प्रधान मैं यह जानना चाहता हूँ कि जो बटिना दिया है जैसे पानी की कमी के बारे में लिखा है लेकिन उसका समाधान नहीं किया गया है और काम नहीं चल रहा है ना ? बटिना दिया की देखना है या नहीं ?

श्री जगजीवन राम यह नहीं बताया कि काम नहीं चल रहा है । वहाँ पर कनालेज का शुरू करने के लिए जो काम कम भावश्यकताएँ हैं उनका पूरा किया जा रहा है । यह ता मानी हुई बात है कि यह जो काम होता उसमें पानी के पानी का इतना करना अनिवार्य होगा और वह भी किया जायेगा ।

SHRI M. S. SANJEEVI RAO We are all aware that the navy is going to play a very prominent role in the defence of our country. Apart from that our country is fortunate in locating huge oil reserves in Bombay High. We are also aware that already 2 million tonnes are going to be produced and by 1980 about 10 million tonnes of oil are going to come from the off-shore oil drilling. In the changed circumstances, particularly since we have to safeguard these huge installations, what active steps are being taken to increase the number of training personnel to facilitate the navy in this task?

SHRI JAGJIVAN RAM That is exactly the scheme. At present we have a training establishment at Visakhapatnam where we train annually 600 boys. The programme is to admit 900 now and ultimately increase it to 1200 annually.

SHRI S. KUNDU While asking this question, may I make a fervent appeal to the hon. Defence Minister to bear in mind that Orissa is a backward State like Bihar? This scheme has already been delayed too long. An announcement has been made today that the training school will start early 1979. Can he make an announcement that it will start early 1978 instead of early 1979?

SHRI JAGJIVAN RAM It means advancing it by one year. I am examining whether it is physically

possible to complete all the minimum requirements to complete the programme by that time

Advertisements of DAVP and Railways etc to smaller and medium Newspapers

*28 SHRI SOMNATH CHATTERJI Will the Minister of INFORMATION AND BROADCASTING be pleased to state

(a) whether Government propose to increase the amount of advertisements of DAVP, Railways and other public undertakings to smaller and medium newspapers, and

(b) if so the quantum of increase in terms of money to be paid for the advertisements to those papers?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L K ADVANI) (a) and (b) Advertisements are released to newspapers to meet varying publicity requirements and not as a measure of financial assistance. But remaining within these limitations, small and medium newspapers, particularly those published in Indian languages will be used for Government advertisements on an increasing scale. The question is therefore being looked into in detail.

SHRI SOMNATH CHATTERJEE The hon Minister said that advertisements are not to be given for financial assistance. But in a country where the bigger newspapers are controlled by the monopoly houses, is it not the Government's policy to encourage the small and medium newspapers and young journals? How do you expect them to increase their circulation without assistance from the Government through the medium of advertisements which

was distorted during the last emergency? Is the Government thinking about laying down some policy or norm to help the distribution of advertisements in a fair manner?

SHRI L. K. ADVANI As I have said it cannot be simply for financial assistance. Otherwise, advertisement becomes an instrument of political patronage and political leverage, which the Government does not want to do. But within these constraints, Government would like to evolve a policy which might include a measure of weightage in the case of smaller and medium newspapers particularly those which are in the regional languages.

SHRI SOMNATH CHATTERJEE In so far as the issue of advertisements to regional papers or weeklies is concerned so far as Calcutta weekly Jansakti is concerned, although the DAVP has withdrawn its suspension order the Railway Board and other authorities are not issuing the advertisements to it? Will the Minister kindly look into that? Secondly what is the quantum of advertisement given to a journal called Surya, which has got an artificial growth? What was the financial assistance given to this journal, which is nothing but a by-product of emergency?

SHRI L K ADVANI There are two cases one in which it has been pointed out to me that railway advertisements are not being given to a paper. I will look into it. So far as Surya is concerned I need notice.

SHRI K. MALLANNA What is the policy of the new Government regarding advertisements of the DAVP to the monopoly press?

SHRI L. K. ADVANI We have a positive policy in this matter, not a

negative policy, and that positive policy is to see that in the matter of giving advertisements, the small and medium papers, particularly in the Indian languages are in a way favoured.

SHORT NOTICE QUESTIONS

**Resignation of Deputy Chairman,
Planning Commission**

सं. 3 SHRI TEJ PRATAP SINGH Will the PRIME MINISTER be pleased to state whether the Deputy Chairman, Planning Commission of India has resigned from his post or not?

THE PRIME MINISTER (SHRI MORARJI DESAI) Shri P N Haksar has submitted his resignation as Deputy Chairman, Planning Commission, but he has been requested to continue for sometime more to enable Government to make suitable alternative arrangements.

श्री तेज प्रताप सिंह : क्या प्रधान मंत्री जी यह बताने की कृपा करेंगे कि नये वर्ष के नये बजट में नई नीतियों के समावेश बिन्दु जाते हैं कि नए नए प्रावधान करने होंगे, तो उन के सम्बन्ध में योजना आयोग के सम्मेलन मन्त्रियों तथा उपाध्यक्ष, जिन का योगदान बजट में होता है, का भागीदारीपूर्ण परिचय करने के लिए, कब तक कदम उठाएंगे ?

श्री मोरारजी देसाई : जितनी जल्दी हो सकेगा, हम करेंगे।

श्री तेज प्रताप सिंह : क्या प्रधान मंत्री जी यह बताने की कृपा करेंगे कि हमारे देश में क्या ऐसे नियमों का प्रतिवर्तन नहीं

है कि नई सरकार के आने की योजना आयोग के उपाध्यक्ष, सभी सदस्य, राजदूत और मंत्रियों को इन्वीट कर दे देने चाहिए ? यदि ऐसे कुछ नियम नहीं हैं तो जो जनजाति देश में सम्बन्ध परम्परा और पद्धति है, उन का ध्यान में रखते हुए क्या ऐसे नियम लागू करने की कृपा करेंगे कि नई सरकार के आने की ऐसी गांठें ताल इन्वीट कर दे दें।

श्री मोरारजी देसाई : दूसरी की बात करने की हमें जरूरत नहीं है।

श्री रामभाते शास्त्री : क्या ऐसा तो नहीं है कि उन का इन्वीट न होना करने की बात हो ?

श्री मोरारजी देसाई : वे खुद नहीं चाहते हैं।

श्री सरदेसाई : आपान काल की बात की जाइए प्रधान मंत्री, श्रीमती इन्दिरा गांधी भी और हमारे माहव और वे सारे लोग उन के मेतापति थे। जब इन चुनावों ने आगत काल की बात के जाइए को बाहर निहाल कर दिया है, तो मैं आपके द्वारा प्रधान मंत्री जी से कहना चाहता हूँ कि इन को भी निहाल जाय और उन का रेजिनेशन जल्दी से मंजूर किया जाए। (धन्यवाद)

श्री मोरारजी देसाई : तत्काल इन्वीट मंजूर करने से रहा पर कुछ रहेगा नहीं। इसलिज्ज जो कुछ करना है, वह सोच विचार कर करता हूँ। सब बातों को सोच कर इन का निपट करूँगे।

WRITTEN ANSWERS TO QUESTIONS

Problem of educated unemployment

*29 SHRI VASANT SATHE: Will the Minister of PLANNING be pleased to state—

(a) whether Government propose to evolve a new policy to tackle effectively the problem of educated unemployment; and

(b) if so, the main features regarding the magnitude of the problem and the action proposed to be taken?

THE PRIME MINISTER (SHRI MORARJI DESAI) (a) and (b) Hon'ble Member's attention is invited to the Acting President of India's Address to Parliament on March 28, 1977, in which the broad approach of

the Government in the economic sphere has been spelt out. Government is intensely aware of the problem of rural, urban and educated unemployment. It was in recognition of this that in the Address it was specifically stated that Government propose to follow an employment-oriented strategy, in which primacy will be given to the development of agriculture, agro-industries, small and cottage industries especially in rural areas. However, at this precise stage it is not possible to translate that broad strategy into specific programmes.

As regards the magnitude of the problem of educated unemployment, those registered with employment exchanges on December 31, 1976, number 5105 lakhs. A statement is laid on the Table of the House giving a categorywise break-up of the figure.

STATEMENT

Number of Educated job-seekers (Matriculates and above) on the Live Register of Employment Exchanges as on 31st December, 1976 classified by educational levels.

(In thousands)

Sl No	Educational level	Number on Live Register as on 31-12-1976 (P)
1.	Matriculates	2829.1
2.	Persons who passed Higher Secondary (including Intermediates/Under-graduates)	1255.2
3.	Graduates (including Post-Graduates) Total :	1020.4
	(i) Arts	469.0
	(ii) Science	266.2
	(iii) Commerce	145.5
	(iv) Engineering	18.4
	(v) Medicine	8.6
	(vi) Veterinary	0.5
	(vii) Agriculture	9.2
	(viii) Law	3.2
	(ix) Education	90.3
	(x) Others	8.7
	Total :	5104.1

Notes: I The information is collected at half-yearly intervals ending June and December each year.

II Excludes figures for University Employment Information and Guidance Bureau except for those in Delhi.

III Figures given above do not add up to total due to rounding off.

IV P: Provisional

Report of Sarkaria Commission

*30 SHRI K GOPAL Will the PRIME MINISTER be pleased to state

(a) whether Government have received the report of Sarkaria Commission of enquiry set up to enquire into certain charges of corruption against the former Chief Minister of Tamil Nadu and

(b) if so the steps proposed to be taken on the report?

THE PRIME MINISTER (SHRI MORARJI DESAI) (a) and (b) The Sarkaria Commission of Inquiry submitted its First Report on 19th January 1977 which relates to 9 items covered by seven allegations into which inquiry has been completed. A copy of the Report, along with a Memorandum of the action taken thereon, was laid on the Table of the House on the 1st April 1977

Arrests under DIR and MISA during Emergency

*31 PROF SHIBBANLAL SAKSENA

SHRI HUKMDEV NARAIN YADAV

Will the Minister of HOME AFFAIRS be pleased to state

(a) the number of arrests made since 25th June 1975 month wise under DIR and MISA upto 20th March 1977

(b) whether any of them are still in jails and

(c) if so the particulars thereof?

THE MINISTER OF HOME AFFAIRS (CHAUDHURY CHARAN SINGH)

(a) to (c) Information regarding month wise arrests under MISA and

the particulars of persons still in detention are being collected from the State Governments/Union Territory Administrations and will be laid on the Table of the House During the period 25th June 1975 to 19th March 1977 34630 persons were detained under Maintenance of Internal Security Act Out of these declarations under section 16A of MISA were made in respect of 28386 persons and all these have been released on the revocation of emergency proclaimed on 25th June 1975 on 21st March 1977

2 Information in respect of the arrests under DISIR is being collected and will be laid on the Table of the House

Maruti Ltd.

*32 SHRI JYOTIRMOY BOSU Will the Minister of INDUSTRY be pleased to state

(a) how many bus bodies and road rollers have been built by Maruti Ltd., Haryana and

(b) who are the buyers of these bodies?

THE MINISTER OF INDUSTRY (SHRI BRJLAL VERMA) (a) and (b) The Central Government have not granted any industrial licence or registration to Maruti Limited Haryana, for the manufacture of bus bodies or road rollers It is reported by the Directorate of Industries Haryana that M/s Maruti Heavy Vehicles (Private) Limited Haryana are registered as a small scale unit for the manufacture of road rollers Since the activities relating to manufacture of road rollers and bus bodies have not been registered/licensed with the Central Government, no production and other statistics in respect of these items are available with the Government of India.

नजरबन्द व्यक्तियों को निर्वाह भत्ता

*33. श्री लक्ष्मी नारायण नायक :

श्री राधक जी :

क्या गृह मंत्री यह बनाने की कृपा करेंगे कि

(क) क्या आन्तरिक सुरक्षा बनाये रखना अधिनियम और भारत रक्षा नियमों के अन्तर्गत नजरबन्द किये गये लोगों के उन परिवारों को, जिनके पाम जीविका उपार्जन का कोई साधन नहीं था, सरकार द्वारा कोई निर्वाह भत्ता दिया गया था, और

(ख) यदि हा, तो उसका सक्षिप्त व्योरा क्या है ?

गृह मंत्री (चौधरी चरण सिंह) :

(क) भारत रक्षा तथा आन्तरिक सुरक्षा नियमों में किसी व्यक्ति के निवारक निरोध की व्यवस्था नहीं है। इन नियमों के अधीन गिरफ्तार किये गये व्यक्तियों को निर्वाह भत्ता स्वीकृत करने का कोई प्रावधान नहीं है। आन्तरिक सुरक्षा बनाये रखना अधिनियम, 1971 के अधीन नजरबन्द किये गये व्यक्तियों के बारे में अधिकांश राज्य सरकारों ने नजरबन्द व्यक्तियों के परिवारों का भत्ता स्वीकृत करने के लिए नियम बनाये हैं। उपलब्ध सूचना के अनुसार अमम, बिहार, गुजरात, हिमाचल प्रदेश, जम्मू व कश्मीर, कर्नाटक, केरल, नागालैण्ड, उड़ीसा, पंजाब, राजस्थान, तमिलनाडु, उत्तर प्रदेश, पश्चिम बंगाल की सरकारों और चण्डीगढ़ प्रशासन ने अनीत में नजरबन्द व्यक्तियों के परिवारों को भत्ता स्वीकृत किया है।

(ख) नजरबन्द व्यक्तियों के परिवारों को भत्ता स्वीकृत करने के सम्बन्ध में विभिन्न राज्य सरकारों द्वारा की गई व्यवस्था के सक्षिप्त व्योरे का विवरण सदन के पटल पर रखा जाता है। [द्विपे सत्रा एल० टी० -101/77]

Setting up of a Commission to inquire into excesses during Emergency

*34 SHRI SAMAR GUHA:

SHRI KANWAR LAL GUPTA:

Will the Minister of HOME AFFAIRS be pleased to state whether Government propose to set up a high power National Commission to hold public enquiry into the cases of firing, lathi charge and other repressive measures adopted by Government inside and outside prison during Emergency?

THE MINISTER OF HOME AFFAIRS (CHAUDHURY CHARAN SINGH). The Government are aware of the need to inquire into complaints of various misdeeds, malpractices, repressive measures, etc., during the period of the Emergency. The whole matter is under close examination and the Government will make a statement on the floor of the House during the current Session.

Censorship on Publication of Proceedings of both Houses of Parliament

*35 SHRI B C KAMBLE Will the Minister of INFORMATION AND BROADCASTING be pleased to state

(a) whether certain orders were issued by Union Government censoring publication in newspapers of proceedings of both Houses of Parliament and particularly the speeches of the then Opposition members, and

(b) if so, the facts thereof and the authority under which those orders were issued?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI) (a) Yes, Sir

(b) During the short session of Parliament held in July-August, 1973 censorship was imposed on all proceedings under the orders of then Minister of Information and Broadcasting. Barring statements of Ministers which did not infringe censorship,

no other speeches were allowed to be reported. For the session held in January 1976 pre censorship was restricted to proceedings which fell within the scope of the Censorship Order. Pre censorship was completely relaxed from March 1976 but editors and correspondents were asked to abide by certain special guidelines issued by the Chief Censor with the approval of the Ministry of Information and Broadcasting.

Industries in Haldia Complex

*36 SHRI SUSHIL KUMAR DHARA
Will the Minister of INDUSTRY be pleased to state

(a) the time target fixed for the completion of the various industries in the Haldia complex,

(b) the present position of each,

(c) the time by which the various industries will start production and by what time they will reach production optimum, and

(d) the steps being taken to expedite completion of various projects?

THE MINISTER OF INDUSTRY (SHRI BRIJLAL VERMA) (a) to (d) In so far as Ministry of Industry is concerned during the years 1974-76 14 letters of intents and one industrial licence were issued. These letters of intents and industrial licence are at various stages of completion and it normally takes three to four years for a project to fructify. The authority to extend, cancel and revoke industrial licence and letters of intents issued to entrepreneurs has been delegated to the Administrative Ministries who are responsible for completion and for keeping a watch on the progress of approved project. The detailed information regarding starting and completion of various projects is not readily available.

It is understood that the State Government of West Bengal has obtained

land for the establishment of an industrial estate for small scale industries in Haldia Complex. Construction of sheds in the industrial estate is yet to be started and therefore the establishment of small scale units will start only after the sheds are completed. This is a subject for the State Government and cause of delay in implementation is not known to centre.

आकाशवाणी और दूरदर्शन को
स्वायत्तशासी निगम
बनाया जाना

*37 श्री जगदेवर प्रसाद यादव •
श्री पी० वें० कोदियान •

क्या सूचना और प्रसारण मंत्री यह बताने की इच्छा करेंगे कि

(क) क्या सरकार का विचार आकाशवाणी और दूरदर्शन को स्वायत्तशासी निगम में बदलने का है, और

(ख) यदि हाँ, तो कब तक ?

सूचना और प्रसारण मंत्री (श्री लाल हृष्य भट्टाचार्य) : (क) तथा (ख) आमदा सरकार के विचारार्थीन है।

आकाशवाणी के कार्यकरण को जीव

*38. श्री नवाब सिंह चौहान •

क्या सूचना और प्रसारण मंत्री यह बताने की इच्छा करेंगे कि

(क) क्या सरकार का विचार आकाशवाणी के कार्यकरण की जीव करने का है, और

(ख) क्या आकाशवाणी द्वारा आन्तरिक प्रसारण की अवधि के दौरान किये गये कार्यों की भी जीव की जायेगी ?

सूचना और प्रसारण मंत्री (श्री लाल हृष्य भट्टाचार्य) : (क) और (ख) मामले में औपचारिक जीव करने का क्रियद्वारा

कोई प्रस्ताव नहीं है। तथापि, आपात स्थिति की अवधि के दौरान लिये गये ऐसे निणयो, जो आपातस्थिति पूर्व मानकों के किसी भी प्रकार से विपरीत है, वा पुनर्विलोकन कर उनमें संशोधन किया जा रहा है।

News Items relating to Sanjay Gandhi

*39 SHRI R. K. MIHALGI Will the Minister of INFORMATION AND BROADCASTING be pleased to state how many news items relating to Shri Sanjay Gandhi have been released on All India Radio during the period from 1st January 1976 to 18th January 1977?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI) One hundred and ninety two in the Central news bulletins broadcast from Delhi

Inquiry into damage to Kidneys of Shri Jayaprakash Narayan

*40 SHRI S. KUNDU Will the Minister of HOME AFFAIRS be pleased to state whether Government have decided to institute an enquiry to find out how the kidneys of Shri Jayaprakash Narayan were damaged during his period of detention in the jail?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH) Government have decided to hold an enquiry into this matter. The exact mode of enquiry and its scope will be determined in consultation with the Ministry of Health and Family Planning

Scholarships for Students of Sainik School, Chitorgarh

51 SHRI O. P. TYAGI Will the Minister of HOME AFFAIRS be pleased to refer to the reply given to Unstarred Question No 230 on the 10th

March 1976 regarding increase in amount of scholarships for students of Sainik School Chitorgarh and state

(a) whether the school authorities of Sainik School, Chitorgarh have again asked the parents of students to deposit the balance amount for the year 1975-76 and 1976-77 after the lapse of one year, and

(b) if so the justification therefor?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH)

(a) Yes, Sir

(b) According to the information received from the Sainik School, Chitorgarh the parents of students were asked to remit the difference of amount of fees pending receipt of the same from the Delhi Administration. The money so realised from the parents will however be refunded after payment is received from the Delhi Administration. According to the information received from the Delhi Administration, necessary funds have now been arranged by re appropriation and the payment of additional amount is being authorised

दिल्ली में सुपर बाजार की शायामों में
हानि/हानि

52 श्री नारायण हृषीकेश शर्मा : क्या नागरिक पुति और सहकारिता मंत्री यह बतावें की क्या कारण हैं दिल्ली में सुपर बाजारों की विभिन्न शायामों में से प्रत्येक शायाम में कितना कितना सामान/हानि हुआ ?

वाणिज्य तथा नागरिक पुति और सहकारिता मंत्री (श्री मोहन पारिया) बाजारों के स्टार नो., (सुपर बाजार), दिल्ली के केन्द्रीय तथा विधि व्यवस्था है, जिनमें शायामों का, हानि की स्थिति नहीं दर्शायी जाती। सहकारिता वर्ष 30 जन, की समाप्त होता है, प्रत्येक

दो पूर्ण सहकारिता वर्ष 1974-75 और 1975-76 हैं। वर्ष 1974-75 और 1975-76 के लेखाओं की प्रतीक्षा जारी है। अन्तिम बच्चे लेखाओं के अनुसार, गुजर बाजार ने वर्ष 1974-75 और 1975-76 में क्रमशः लगभग 4.46 लाख रु० और 7.26 लाख रु० का नुकसान बनाया है।

मध्य प्रदेश में "भांगुरा" (मीठा) के प्रयोग बन्दे

53 श्री मोहन भैया क्या गृह मंत्री यह बताने की कृपा करेंगे कि

(क) घाघात स्थिति के दौरान "भांगुरा" के प्रयोग मध्य प्रदेश में किन्हीं स्थिति गिरफ्तार किये गये,

(ख) उनमें किन्हीं राजनैतिक तथा किन्हीं किन्हीं व्यक्ति घाघात घटनाओं तथा अन्य कारणों से गिरफ्तार किये गये,

(ग) किन्हीं 'भांगुरा' बन्दी जेलों में मृत्यु की प्राप्ति हुई,

(घ) किन्हीं-किन्हीं जेलों में साठी-बाज किया गया और क्या इस सम्बन्ध में कोई न्यायिक जांच की गई, और

(ङ) यदि हाँ, तो उनके क्या परिणाम निकले ?

गृह मंत्री (श्री श्री चरण सिंह) -

(क) 25 जून, 1975 से 19 मार्च, 1977 तक की अवधि में मध्य प्रदेश राज्य में आन्तरिक सुरक्षा बनाये रखना अधिनियम, 1971 के प्रयोग 5550 व्यक्ति नजरबन्द किये गये थे।

(ख) से (ङ) - राज्य सरकार से सूचना एकत्रित की जा रही है और बदन के पटन पर रख दी जाएगी।

Maharashtra-Karnataka boundary dispute

54 SHRI ANVASAMHEB GOT-KHINDE Will the Minister of HOME AFFAIRS be pleased to state

(a) the broad outlines of the efforts that are intended to be made by the Government to evolve a satisfactory solution of the long standing Maharashtra-Karnataka boundary dispute, and

(b) whether Government intend to lay any time limit to solve the same?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH)

(a) and (b) The whole matter has still to be viewed by present Government. At this stage it is difficult to give an outline of the efforts proposed to be taken or to set a time limit for reaching a satisfactory solution. The endeavour of Government will be to settle the matter as early as possible.

Allotment of House Sites in Andamans

55 SHRI MANORANJAN BHAKTA Will the Minister of HOME AFFAIRS be pleased to state

(a) whether Government propose to allot house sites to houseless industrial workers and agricultural land to landless Kisans, and workers in Andamans, and

(b) if so the criteria of allotment and when it will be done?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH)

(a) and (b) A good number of house sites have been allotted to houseless persons in Andamans. Most of such persons are industrial workers.

(b) Agricultural land is allotted under the provisions contained in the Andaman & Nicobar Islands Land Revenue and Land Reforms Regulation and rules framed thereunder. At present there is no cultivable land available in the Islands.

मध्य प्रदेश में सीमेंट कारखाने

56 श्री सुखेन्द्र सिंह क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि

(क) क्या मध्य प्रदेश में सीमेंट कारखाना की स्थापना करने का सम्बन्ध में कोई निष्पत्ति लिया गया है,

(घ) यदि हाँ तो कितने स्थानों पर इसकी स्थापना की जायगी, और

(ग) सैहर सतना जिन में जो सीमेंट का कारखाना स्थापित किया जाना है उसका वर्तमान स्थिति क्या है ?

उद्योग मंत्री (श्री बुललाल वर्मा,
(क) और (घ) जी हाँ। भारतीय सीमेंट निगम मध्य प्रदेश में सीमेंट के दो कारखाने—एक भवनेश्वर (जिला बिलासपुर में) और दूसरा नीमब (जिला मन्डौर में) बना रहा है। ये विद्यमान भोंडर (जिला रायपुर) एकाई का विस्तार भी कर रहे हैं। निजी क्षेत्र (ग्राइन्ड मैक्सी) में मे० सेन्चुरी सीमेंट लि० को मोहर (जिला सतना) में सीमेंट का एक एकाई स्थापित करने के लिए लाइसेंस प्रदान किया गया है। मे० मैसूर सीमेंट लि० को भी नरसिंह में एक सीमेंट सप्लाय स्थापित करने के लिए आशय पत्र स्वीकार किया गया है।

(ग) मे० सेन्चुरी सीमेंट लि० ने खन पट्टे प्राप्त करने, भूमि का अधिग्रहण करने बिजली और पानी के समर्थन (सप्लाय) के लिए व्यवस्था करने और माल लाने के लिए के सम्बन्ध में रेलवे से स्वीकृति प्राप्त करने सम्बन्धी प्रारम्भिक आवश्यक सम्बन्धों पहले ही कर लिये हैं। यह भी समझा जाता है कि समर्थन और मशीनों के लिए क्रयदेश भी दिए जा चुके हैं।

Drinking Water to Backward Classes in West Bengal

57 DR BIJOY MONDAL Will the Minister of HOME AFFAIRS be pleased to state

(a) whether any amount has been allotted to West Bengal for supply of drinking water to villages inhabited by Harijans Adivasis and other backward communities and

(b) if so the amount allotted in the year 1976-77 and the number of villages covered?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH)

(a) and (b) There is no Central Scheme for supply of drinking water to villages inhabited by Harijans Adivasis and other backward communities. However under the Minimum Needs Programme of the State Sector an amount of Rs 745 lakhs has been provided for rural water supply programme for the year 1976-77. This will cover all the rural areas of the State including those inhabited by Harijans, Adivasis and other backward communities. In addition a Special Central Assistance of Rs 658.455 has been allotted during 1976-77 for rural water supply covering 257 villages in tribal sub plan areas of the State.

विमान दुर्घटनाओं में मारे गये व्यक्ति

58 श्रीमती चन्द्रावती क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि

(क) क्या हिसार रेलवे लाइन पर ऊपरी पुल के उद्घाटन के अवसर के लिए हरियाणा के राज्यपाल स्व० श्री बी० एन० चक्रवर्ती पर विमान से पुष्प वर्षा करने सम्बन्धी पूर्वार्थस के दौरान कितने विमान दुर्घटनाग्रस्त हुए और कितने व्यक्ति मारे गये,

(ख) क्या उक्त घटना की कोई जांच की गई थी, और

(ग) पूर्वाभ्यास के दौरान मारे गए कमचारिया को कितना मुआवजा दिया गया ?

रक्षा मंत्री (श्री जगजीवन राम)

(क) रक्षा सेवान्वीतों का कोई विमान उक्त अवसर पर किसी दुर्घटना में सम्मिलित नहीं था ।

(ख) प्रश्न नहीं उठता ।

(ग) प्रश्न नहीं उठता ।

Projects in Kerala

59 DR HENRY AUSTIN Will the Minister of INDUSTRY be pleased in state

(a) whether Government are aware of the project launched by the Government of Kerala to start atleast one industry in one District and

(b) whether the Government of India propose to give liberal support to the Government of Kerala to implement the project speedily?

THE MINISTER OF INDUSTRY (SHRI BRIJLAL VERMA) (a) The Ministry is not aware of the particular scheme referred to by the Honble Member. The details of the scheme have been called for from the State Government.

(b) The question of giving assistance to the State Government will be considered on receipt of the necessary details from the State Government.

Alleged beating of voters in Dendallow Village in Andhra Pradesh

60 SHRI K. SURYANARAYANA Will the Minister of HOME AFFAIRS be pleased to state

(a) whether Government are aware that some Scheduled Caste Harijan

voters were beaten by some group of people during polling time on the 16th March 1977 at Dendallow village in Eluru parliamentary constituency No 11 in Andhra Pradesh and also they were admitted in the hospital and

(b) if so the action taken by Government in the matter?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH)

(a) and (b) The name of the village is Dendalur and not Dendallow. According to information received from Andhra Pradesh Government at about 3.00 p.m. on 16th March 1977 there was a clash between Congress and Janata Party Supporters. Congress supporters received injuries of whom 7 are Harijans. One of the injured is still in the Hospital and the remaining 7 were discharged after treatment. A case has been registered and investigation is underway. 15 persons belonging to Janata Party have been arrested while one person is absconding.

Censorship on Films

61 SHRI SOUGATA ROY Will the Minister of INFORMATION AND BROADCASTING be pleased to state the Government's thinking with regard to censorship particularly kissing and nudity in films?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI) It has been the policy of Government to enforce censorship as laid down in the Cinematograph Act 1909 and the Rules and Directions issued thereunder. As regards kissing and nudity vulgar or indecent scenes of an offending nature are not permitted. While a sex theme by itself is not prohibited its treatment should be aesthetic and sensitive so that generally people do not feel offended by the manner of its depiction.

Report of Sarkaria Commission

62 SHRI O V ALAGESAN Will the PRIME MINISTER be pleased to state

(a) whether Government propose to lay a copy of the Report of the Sarkaria Commission of Inquiry, so far submitted by them on the Table of the House,

(b) whether Government propose to extend its term beyond 1st February 1977 so that it may enquire into all the remaining allegations and submit reports thereon, and

(c) whether the Central Government propose to direct the Government of Tamil Nadu to take necessary follow-up action quickly?

THE PRIME MINISTER (SHRI MORARJI DESAI) (a) to (c) A copy of the First Report, submitted by the Sarkaria Commission of Inquiry on 19th January 1977 which relates to 9 items covered by seven allegations into which inquiry has been completed so far, was laid on the Table of the House on the 1st April 1977, along with a Memorandum of the action taken thereon. The term of the Commission, which was due to expire on 1st February 1977 has been extended upto 31st January, 1978

Idukki Hydro Electric Project

63 SHRI K. A. RAJAN Will the Minister of ENERGY be pleased to state

(a) the present stage of the construction work of Idukki Hydro Electric Project in Kerala,

(b) the present generating capacity of the said project,

(c) whether sufficient funds have been allotted for the project during the current year, and

(d) if so, the facts thereof?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN) (a) to (d) The three Generating Units of 130 MW each of the Idukki Hydro Electric Project-Stage I have been commissioned. All the civil engineering works of the project, except the erection of crest gates of the Cheruthoni Dam which is in hand, have been completed.

For the year 1977-78 the State authorities have indicated that the limited quantum of payments in respect of certain balance items would be made through adjustments against advances and recoveries. No outlay is therefore being provided for the current year.

Coal India Limited

64 SHRI M. KALYANASUNDARAM Will the Minister of ENERGY be pleased to state

(a) whether the Coal India Limited has opened its own distribution channels in some States

(b) if so, the names of those States,

(c) in how many States private distribution of coke is going on and

(d) have Government taken a decision to open CIL owned shops to sell hard coke?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN) (a) and (b) Yes Sir Coal India has undertaken distribution of Soft Coke and Slack Coal in the Union Territory of Delhi and eight districts of Uttar Pradesh.

(c) In other States and the remaining districts of Uttar Pradesh, distribution of Soft Coke is done through agents and depot holders under the regulation of the State Governments.

(d) No Sir

Newsprint Project in Kottayam District

65 SHRI SKARIAH THOMAS
Will the Minister of INDUSTRY be pleased to state

(a) the progress made in the setting up of the Newsprint project in Kottayam District,

(b) whether Government propose to give preferential employment to the relatives of the land and field owners from whom the land has been acquired for the project and

(c) the amount so far spent for the project and when it is likely to be completed?

THE MINISTER OF INDUSTRY (SHRI BRIJLAL VERMA) (a) The Hindustan Paper Corporation Limited have acquired the land for the project and site levelling is almost complete. Arrangements for the supply of raw materials and provision of infrastructural facilities have been made. The Corporation have engaged consultants for carrying out the design and engineering. Civil works are in progress and orders for long delivery items have also been placed.

(b) Yes, Sir. There are standing instructions of the Government with regard to provision of employment to members of families displaced as a result of acquisition of land.

(c) Rs 16.14 crores. The project is scheduled to be completed by October, 1978.

Heavy Industries in Dharmapuri District

66 SHRI K. RAMAMURTHY
Will the Minister of INDUSTRY be pleased to state

(a) whether the Dharmapuri District in Tamil Nadu has been declared as backward District,

(b) whether there is any proposal to start heavy industries there, and

(c) if so, the nature of industries?

THE MINISTER OF INDUSTRY (SHRI BRIJLAL VERMA) (a) The Dharmapuri District in Tamil Nadu State has been declared as industrially backward to qualify for concessional finance from the financial institutions for setting up industries. Further 7 taluqs of the Dharmapuri District viz., Dharmapuri, Palacode, Hosur, Denkanikottah, Krishnagiri, Uthangaraj and Harur have been selected to qualify for the investment subsidy under the 'Central Outright Grant/Subsidy Scheme, 1971' for setting up of new units in the industrially backward areas.

(b) and (c) There is no proposal at present to start heavy industries in the Central Sector in the Dharmapuri District. Three parties have been given licences to set up textile machinery manufacturing units in the private sector in this District.

Price-Tagging Scheme

67 SHRI K. T. KOSALRAM
Will the Minister of CIVIL SUPPLIES AND COOPERATION be pleased to state

(a) whether the scheme of price-tagging under which all consumer and other goods are required to be available with price tags has been given up,

(b) if so, whether it is being enforced in Tamil Nadu,

(c) the measures he proposes to take for the uniform enforcement of this scheme throughout India, and

(d) whether he is aware that the price-tagging has been removed by shopkeepers in Tamil Nadu after the General Elections?

THE MINISTER OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI MOHAN DHARMA) (a) No, Sir.

(b) The scheme of price tagging under the Tamil Nadu (Display of

Stocks Prices and Maintenance of Accounts) Order continues to be enforced

(c) The scheme for displaying prices and stocks remains in force in all the States

(d) No general violation of the Order has come to notice in Tamil Nadu after the General Elections. In individual cases of violation have been dealt with under law in March 1977 as in the previous months

श्री सत्य गांधी के दोरो पर खर्च

68 श्री हुसम देव नारायण यादव क्या गृह मंत्री यह बतान की कृपा करेंगे कि

(क) जुलाई 1975 से जनवरी 1977 तक सत्य गांधी के दोरो पर और उनकी सभाओं के आयोजन पर राज्यवार कितनी धनराशि खर्च की गई और उस खर्च का भार किसन वहन किया

(ख) उन्होंने किस अधिकार से और किसकी अनुमति से सरकारा हवाई जहाजों का उपयोग किया तथा उन्होंने सरकारों सहायकों का शिक्कायास एवं उपाय किसकी अनुमति से किया और

(ग) आपात स्थिति के दौरान उन्होंने जो राष्ट्र विरोधी काम किया था क्या सरकार का विचार इसकी जांच कराना का है यदि हा तो कब तक ?

गृह मंत्री (श्री धीरेंद्र चरण सिंह)

(क) और (ख) राज्य सरकारा और सच राज्य क्षेत्र प्रशासनो स सूचना एवजित की जा रहा है ।

(ग) आपात स्थिति के दौरान की गई ज्यादतियों दुष्कर्मों और बदचारों की जांच करने का प्रश्न सदन में श्री ज्योतिब

बसु द्वारा रख गये एक गर सरकारी सदस्य ने सत्त्व में उठाया जा चुका है । सरकार इस मामले पर विचार कर रही है और इस प्रश्न पर सदन के चालू सत्र में एक वक्तव्य दिया जायेगा ।

Industry In Chittoor District

69 SHRI P RAJAGOPAL NAIDU Will the Minister of INDUSTRY be pleased to state

(a) whether Government are starting any heavy industry in Chittoor District in the State of Andhra Pradesh and

(b) if so the date ?

THE MINISTER OF INDUSTRY (SHRI BRIJLAL VERMA) (a) and (b) No provision has been made in the Fifth Five Year Plan for setting up any heavy industry in the Central Sector in Chittoor district in the State of Andhra Pradesh

Election of Delegates in the Central Government Employees Consumer Cooperative Society Ltd New Delhi

70 SHRI SHEO SAMPAT Will the PRIME MINISTER be pleased to state

(a) whether the bye laws of the Central Government Employees Consumer Cooperative Society Ltd New Delhi provide that in a constituency formed by the Board of Directors delegates are elected by members in a ratio of one delegate for every 500 members or any part thereof

(b) whether the Board of Directors of the Society have for the election of delegates during 1977 decided that two delegates in a constituency shall be allowed to be elected only when the number of members of the Society there are 750 or more and

(c) if so the particular reasons therefor and whether the approval of Registrar of Cooperative Societies has since been sought for such an amendment in bye laws?

THE PRIME MINISTER (SHRI MORARJI DESAI) (a) Yes Sir

(b) Yes Sir

(c) The Board was advised that no amendment of the bye laws was involved and so the question of referring this particular issue to the Registrar Cooperative Societies did not arise. The decision has been given on the practical consideration of keeping the number of delegates within reasonable limits.

Raman Hydel Project

71 SHRI K. B. CHETTRI Will the Minister of ENERGY be pleased to state

(a) whether it is a fact that the Raman Hydel Project has been cleared by the Planning Commission

(b) if so what is the total amount involved and

(c) how long it will take to complete the project?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN) (a) No Sir. Approval for sanctioning the Raman Hydro electric project is under consideration of the Government.

(b) and (c) Does not arise at this stage.

कच्छ में आप्रवासियों को भारतीय नागरिकता प्रदान करना

72 श्री अनन्त दव क्या गृह मंत्री यह बनाने का कृपा करें कि

(क) सोन समुदाय के उन लोगों को भारतीय नागरिकता प्रदान करने का कृपा करें कि

जो वे, भारतीय नागरिकता प्रदान न किये जाने के क्या कारण हैं, और

(ख) क्या उन्होंने इस बारे में सरकार से अनुरोध किया था, और यदि हाँ, तो उन अनुरोधों पर सरकार का क्या कार्यवाही करने का विचार है?

गृह मंत्री (श्री श्री चरण सिंह) (क) और (ख) सोन समुदाय के व्यक्तियों से कुछ अपीलें प्राप्त हुई हैं जिनमें भारतीय नागरिकता प्रदान करने का अनुरोध किया गया था। सभी पहलुओं पर विचार करने पर उनको यह सुविधा प्रदान करना उपयुक्त नहीं समझा गया। इसका कारण है कि पाकिस्तान सरकार आवश्यक परिस्थितियों बना कर उपयुक्त उपाय करती ताकि प्रभावित व्यक्ति सुरक्षा और सम्मान के साथ अपने घरों को लौट सकें।

बिहार में केन्द्रीय रिजर्व पुलिस भेजा जाना

73 श्री च. इन्दु प्रसाद वर्मा क्या गृह मंत्री यह बनाने की कृपा करें कि

(क) क्या बिहार में काफी सख्त में केन्द्रीय रिजर्व पुलिस भेजी गई थी और

(ख) यदि हाँ तो उनकी मदद कितनी थी और उसकी उपयोगिता क्या थी?

गृह मंत्री (श्री श्री चरण सिंह) (क) और (ख) लोक सभा के हाल के चुनाव बनाने की घोषणा से पहले केन्द्रीय रिजर्व पुलिस की 4 बटलियन बिहार सरकार को उनके अनुरोध पर बिधि और व्यवस्था बनाये रखने में उनकी मदद करने के लिए उपलब्ध कराई गई थी। चुनाव के दौरान

विधि और व्यवस्था बनाये रखने के लिए राज्य सरकार के अनुरोध पर केन्द्रीय रिजर्व पुलिस की अतिरिक्त 2½ बटालियन उपलब्ध की गई थी। इन अतिरिक्त बटालियों को वापिस बुला लिया गया है और इस समय केन्द्रीय रिजर्व पुलिस की चार बटालियन राज्य सरकार के पास है।

बिहार के विकास के लिये पांचवी योजना में नियत

74 थी मुखराज क्या योजना मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या केन्द्रीय सरकार ने बिहार के योजनाबद्ध विकास के लिए पांचवी पंचवर्षीय योजना में धनराशि का नियत किया है ;

(ख) यदि हा, तो कितनी, और

(ग) इस राज्य की जनसंख्या और शिक्षण को ध्यान में रखते हुए सरकार का इस राज्य को कब तक सहायता देने का विचार है ?

प्रधान मंत्री (श्री मोरारजी देसाई) :

(क) स (ग) : पांचवी पंचवर्षीय योजना को अन्तिम रूप देने के लिए 24 और 25 जनवरी, 1976 को कई दिनों में हुई राष्ट्रीय मंत्रिमंडल बैठक की बैठक में कृपा राज्यो की योजना के आधार को अन्तिम रूप दिया गया था। पांच बलों की सम्पूर्ण अवधि के लिए बिहार राज्य का परिव्यय 1,296.06 करोड़ रुपये है। राज्यो को केन्द्रीय सहायता का आवंटन सभी राज्यों द्वारा स्वीकार किए गए कार्यक्रम के आधार पर किया जाता है और ऐसा करते समय न केवल जनसंख्या, प्रति व्यक्ति आय के अनुसार प्रकट किए गए शिक्षण का ही ध्यान रखा जाता है, बल्कि सम्पूर्ण राज्यो द्वारा संसाधन जुटान के लिए किए

गये प्रयासों और उनकी विविध समस्याओं का भी ध्यान रखा जाता है।

भाषात स्थिति के दौरान मध्य प्रदेश में गिरफ्तार किये गये कार्यकर्ता

75 थी निर्मल चन्द्र जैन : क्या गृह मंत्री यह बताने की कृपा करेंगे कि

(क) 25-26 जून 1975 को भाषात स्थिति लागू होने पर केन्द्र सरकार द्वारा मध्य प्रदेश सरकार भ्रमना उनके अधिवारियों को तिन श्रेणियों के कार्यकर्ताओं को गिरफ्तार करने के आदेश भेजे गये थे, और

(ख) क्या गिरफ्तारी सम्बन्धी उक्त आदेश भ्रमना अन्य आदेश प्रती भी उपलब्ध है ?

गृह मंत्री (श्रीधरी चरण सिंह) :
(क) जून, 1975 में भाषात स्थिति की उद्घोषणा के समय, गिरफ्तार किए जाने वाले सरकारी अधिवारियों की श्रेणियों का ठीक ठीक उल्लेख नहीं हुए मध्य प्रदेश सरकार को कोई आदेश जारी नहीं किए गये थे।

(ख) प्रश्न नहीं उत्पन्न है।

Inquiry into atrocities on Political Prisoners in Jails during Emergency

76. SHRI HARIVISHNU KAMATH
Will the Minister of HOME AFFAIRS
be pleased to state.

(a) whether Government propose to institute a public independent inquiry into the atrocities perpetrated on political prisoners in various jails during the period of Emergency, from June 24 1975 to date, and

(b) If so, when, and its terms of reference?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH) (a) and (b) The Government are aware of general complaints of this nature. A decision as to whether an inquiry should be held and the manner in which the inquiry should be made in respect of any particular case, will be taken, on merits of the case if specific complaints are brought to Government's notice.

“भांमुका” की धारा 16-क के अधीन राजनैतिक दलों

77 थो उपरोक्त का गृह मंत्री यह बताने की कृपा करेंगे कि

(क) 26 जून, 1975 की आपात स्थिति की घोषणा के बाद से 31 जनवरी, 1977 तक ‘भांमुका’ (सीसा) की धारा 16-क के अधीन राज्य सरकारों द्वारा विभिन्न राजनैतिक दलों के कितने व्यक्ति गिरफ्तार किये गये,

(ख) उनमें से कितने व्यक्ति अभी तक जेलों में बन्द हैं, और

(ग) वर्ष 1975-76 के 31 जनवरी, 1977 तक कितने राजनैतिक दलों की जेलों में मृत्यु हो गई और उनमें से प्रमुख आदमियों के नाम क्या हैं?

गृह मंत्री (श्रीधरी चरण सिंह) :

(क) 29 जनवरी, 1977 को विभिन्न राजनैतिक दलों के 2861 व्यक्ति और जिनके मामलों में आन्तरिक सुरक्षा बनाये रखना अधिनियम, 1971 की धारा 16क लागू की गई थी, नजरबन्द थे। राज्यवार व्यौरा मल्ल विवरण में दिया गया है।

आन्तरिक सुरक्षा बनाये रखना अधिनियम, 1971 की धारा 16-क के अधीन 26 जून, 1975 से 31 जनवरी, 1977

तक की अवधि के दौरान नजरबन्द किये विभिन्न राजनैतिक दलों के व्यक्तियों की संख्या के बारे में सूचना राज्य सरकार से एवजित की जा रही है और सदः के पटल पर रख दी जायेगी।

(ख) 25 जून, 1975 को लागू की गई आपातस्थिति के हटाये जाने से आन्तरिक सुरक्षा बनाये रखना अधिनियम, 1971 की धारा 16-क समाप्त हो गई है। अधिनियम की इस धारा के अधीन नजरबन्द किये गये सभी व्यक्ति नजरबन्दी से रिहा कर दिये गए हैं।

(ग) राज्य सरकारों से सूचना एवजित की जा रही है और मदन के पटल पर रख दी जायेगी।

विवरण

क्र० सं०	राज्य तथा राज्य क्षेत्र का नाम	राजनैतिक नजरबन्दीयों की संख्या
1	आंध्र प्रदेश	19
2	असम	13
3	बिहार	230
4	गुजरात	17
5	हरियाणा	45
6	हिमाचल प्रदेश	—
7	जम्मू व कश्मीर	15
8	कर्नाटक	20
9	केरल	34
10	मध्य प्रदेश	846
11	महाराष्ट्र	697
12	मणिपुर	—
13	मेघालय	1

विवरण

क्रम० स०	राज्य/संघ राज्य क्षेत्र वा नाम	राजनैतिक नजरबन्दियों की संख्या
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14	नागालैण्ड	1
15	उड़ीसा	37
16	पंजाब	22
17	राजस्थान	3
18	सिक्किम	—
19	तमिलनाडु	61
20	त्रिपुरा	18
21	उत्तर प्रदेश	631
22	पश्चिमी बंगाल	31
23	अरुणाचल प्रदेश	—
24	अण्डमान व निकोबार द्वीप समूह	2
25	चण्डीगढ़	1
26	दादरा व नगर हवेली	—
27	दिल्ली	44
28	गोवा दमन व दीव	9
29	लक्षद्वीप	—
30	मिजोरम	12
31	पाटिचेरी	—
32	केन्द्रीय सरकार	2

जोड़ 2961

"भीसा" के अन्तर्गत बन्दी राजनैतिक
व्यक्तियों के परिवारों को निर्वाह
भत्ता

78. श्री छत्रिराम अग्रवाल .
श्री घसीर भट्टमद :
श्री उपसेन :

बना गृह रही यह बतान की कृपा
करेंगे कि

(क) 'भीसा' में बन्दी राजनैतिक
बंदों से सम्बद्ध व्यक्तियों के परिवारों को
किन किन राज्यों में निर्वाह भत्ता दिया गया
तथा किन किन राज्यों में ऐसा भत्ता नहीं
दिया गया ,

(ख) कितने व्यक्तियों को कितना-
कितना मासिक भत्ता दिया गया और राज्य
द्वारा निर्वाह भत्ता देने पर कुल कितनी
राशि व्यय की गई; और

(ग) किस किस राज्य में निर्वाह
भत्ते के लिए किया गया अनुरोध स्वीकार नहीं
किया गया ?

गृह मंत्री (चौधरी चरण सिंह) :

(क) से (ग) राज्य सरकारों से सूचना
एकत्रित की जा रही है और सदन के पटल
पर रख दी जायेगी ।

Pending Applications from Kerala

79 SHRI K KUNHAMBU Will
the Minister of INDUSTRY be pleas-
ed to state

(a) the total number of licence
applications from Kerala pending
sanction with the Ministry, and

(b) the steps taken to clear these
applications ?

THE MINISTER OF INDUSTRY
(SHRI BRIJLAL VERMA) (a) and

(b) Out of the Industrial licence
applications for Kerala received till
31st March, 1977, 14 applications are

pending Various considerations such as availability of infrastructure, raw materials know-how demand capacity installed etc are kept in view while taking decisions on Industrial licence applications Every effort is being made to dispose of the pending applications as expeditiously as possible

Use of IAF Planes by former Minister in the Ministry of Defence

80 SHRI GANANATH PRADHAN Will the Minister of DEFENCE be pleased to state

(a) the number of times Shri J B Patnaik former Minister of State for Defence had used the Air Force Plane during January 1976 to March 15 1977, and

(b) the purpose of his journeys and the places of his visit?

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM) (a) Shri J B Patnaik former Raksha Rajya Mantri on indent was provided 64 sorties in IAF VIP aircraft during the period 1st January, 1976 to 15th March 1977

(b) The places visited by Shri J B Patnaik are given in the statement laid on the Table of the House (Placed in Library See No LT-102/77) The exact purpose of the visit is not known However in the passenger manifests rendered by the Secretariat of the former Minister the purpose of all the journeys has been certified as official

Setting up of a Broadcasting Station in Vidarbha Region

81 SHRI VASANT SATHE Will the Minister of INFORMATION AND BROADCASTING be pleased to state

(a) whether Government of Maharashtra have sent a proposal to set

up a broadcasting station in Vidarbha region during the Fifth Plan, and

(b) the action taken or proposed to be taken in the matter?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L K ADVANI) (a) Yes Sir

(b) The Vidarbha region of Maharashtra is already within the primary service range of existing All India Radio stations in the State There are no immediate proposals to set up any new station in this region.

Sick Small Scale Industrial Units

82 SHRI VASANT SATHE Will the Minister of INDUSTRY be pleased to state

(a) the number of sick small scale industrial units in the country, state-wise,

(b) whether the question of sick units has assumed a serious proportion, and

(c) the steps proposed to be taken by Government in this regard?

THE MINISTER OF INDUSTRY (SHRI BRIJLAL VERMA) (a) and (b) The Census of Small Scale Industries revealed that 12151 units were sick in 1972. State-wise their number is given in the attached statement. No census of small scale units has been undertaken since then.

(c) There are State level Coordination Committees under the Chairmanship of Secretary (Industries) of the State Government for analysing the cases of sick units and for providing necessary assistance to these units. The Director of Small Industries Service Institutes are Member-Secretaries of these Committees.

Statement

S No	Name of the State	No of sick units in 1972 according to Census of small Scale Industries
1	Andhra Pradesh	726
2	Assam	269
3	Bihar	512
4	Gujarat	1116
5	Haryana	737
6	Himachal Pradesh	250
7	Jammu & Kashmir	142
8	Kerala	424
9	Karnataka	293
10	Madhya Pradesh	572
11	Maharashtra	953
12	Manipur	21
13	Meghalaya	16
14	Nagaland	4
15	Orissa	162
16	Punjab	686
17	Rajasthan	620
18	Sikkim	
19	Tamil Nadu	1332
20	Tripura	41
21	Uttar Pradesh	465
22	West Bengal	2472

S No	Name of Union Territories	No of sick units in 1972 according to Census of S S I
1	Andaman & Nicobar Islands	
2	Arunachal Pradesh	
3	Chandigarh	32
4	Dadra & Nagar Haveli	8
5	Delhi	187
6	Goa Daman & Diu	91
7	Lakshadweep	
8	Mizoram	
9	Pondicherry	66
		12151

Grant of Pension to Freedom Fighters

63 PROF SHIBBAN LAL SAKSENA Will the Minister of HOME AFFAIRS be pleased to state

(a) the total number of freedom fighters who had applied (i) for pension and (ii) for other assistance to the Central Government during each of the years since the inception of the scheme and the number of freedom fighters whose applications were granted by Central Government the number of applications which were rejected and the number of those which are still pending State-wise and reasons therefore and

(b) the total amount of money paid as pension to freedom fighters in each of the years since its inception?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH) : (a) (i) Statements I to V showing the total number of applications received, sanctioned and rejected State-wise for the years 1972-73 to 1976-77 laid on the Table of the House [Placed in Library See No. LT-103/77]. On 31st March, 1977, 637 cases were pending disposal from the following States —

1 Andhra Pradesh	6
2 Bihar	227
3 Kerala	31
Total	637

These applications have been received recently and are being examined. 40184 applications have been filed for want of adequate evidence.

(a) (ii) So far as other assistance is concerned, the same is being given from the Home Minister's Discretionary Grant in eligible cases. A statement (at appendix-VI) showing the number of freedom fighters given assistance out of this grant State-wise and year-wise is laid on the Table of the House [Placed in Library See No. LT-103/77].

(b) The expenditure incurred on the freedom fighters pension scheme since its inception is as follows:

Year	Actual expenditure (Rs. in crores)
1 1972-73	0.63
2 1973-74	15.32
3 1974-75	22.96
4 1975-76	24.11
5 1976-77	35.05
	(Anticipated)

Amendment of Codes of Civil and Criminal Procedure

21 SHRI BASHIR AHMAD : Will the Minister of HOME AFFAIRS be pleased to state

(a) whether Government propose to repeal the latest amendments made to the Code of Civil Procedure and to Section 125 of the Criminal Procedure Code; and

(b) if so, the Government explain the effect?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH) : (a) No Sir.

(b) Does not arise.

Withdrawal of Cases against Defendants under DFR.

22 SHRI BASHIR AHMAD : Will the Minister of HOME AFFAIRS be pleased to state

(a) whether Government propose to issue directives to State Governments to immediately communicate to the Centre the particulars of the defendants under DFR; and

(b) whether Government propose to issue a directive to withdraw all such cases launched during emergency?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH) : (a) and (b) The Government have not called for particulars of cases in which action has been taken under DFR, but instructions have been issued requesting the State Governments and UT Administrations to review all such cases with a view to withdrawing action in all cases excepting those arising out of economic offences or violent acts. The instructions cover even those convicted to serve sentences awarded by Courts and the State Governments/Union Territory Administrations have been advised to remit the unserved sentences of all those convicted of offences

under DISIR during the emergency except economic offenders and those involved in violent acts

ऊर्जा का उत्पादन और मांग

86 श्री नारायण कृष्ण शेजवलकर
क्या ऊर्जा मंत्री यह बताने को कृपा करेंगे कि

(क) गत दो वर्षों में ऊर्जा के उत्पादन और उसकी मांग में कितनी वृद्धि हुई और

(ख) भाग की तुलना में उत्पादन कितना कम रहा ?

ऊर्जा मंत्री (श्री पी० रामचन्द्रन)
(क) और (ख) पिछले तीन वर्षों के दौरान विद्युत ऊर्जा की निम्न मांग तथा उत्पादन केन्द्र बस या र पर विद्युत् उत्पादन तथा उसके मुकाबल विद्युत् में कमी नीचे दी जाती है। 1974-75 से 1975-76 में तथा 1975-76 से 1976-77 में मांग और उत्पादन में हुई वृद्धि की प्रतिगणना भी नीचे दी जाती है —

(सभी आंकड़े मिलियन यूनिटों में दिए गए हैं)

मांग	मांग में वृद्धि की प्रतिशतता	उत्पादन	उत्पादन में वृद्धि की प्रतिशतता	कमी
1974-75	80255 }	4 05	65546 }	13 8
1975-76	83508 }		74609 }	8899
1976-77	88482	5 09	83266	9 61
				5216

Payment of Pension to Freedom Fighters

87 SHRI ANNASAHIB GOTKHINGDE Will the Minister of HOME AFFAIRS be pleased to state

(a) the monthly and annual expenditure being incurred by the Government on payment of pension to freedom fighters and

(b) the State-wise figures of bogus pensioners that have come to the notice of Government so far and the action taken against them?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH) (a) The figures of annual

expenditure on payment of pension to freedom fighters are as under —

Year	Actual expenditure
	(Rs in crores)
1972 73	• 0 63
1973 74	• 16 32
1974 75	• 22 96
1975-76	• 24 11
1976-77	• 25 00 (anticipated)

The average monthly expenditure during the year 1976-77 is about 201 crores

(b) Complaints have been received against individual freedom fighters that they have managed or are trying to get pension by furnishing incorrect and false information/evidence. Such complaints are examined promptly with reference to the available records and in doubtful cases a reference is made to the State Government concerned for verification and early report. In cases where there is a strong presumption that the freedom fighter is not entitled to get pension action is taken immediately to suspend the pension pending further investigation. If on completion of the enquiry, the pension is found to be wrongly obtained it is cancelled and necessary action regarding recovery is taken. Where it is found that the person concerned adopted fraudulent means to obtain pension, State Governments are asked to consider the desirability of prosecuting the person concerned.

A statement showing the number of complaints received, cases in which pension has been suspended, number of cases in which pension has been stopped or restored and the number of cases pending disposal, statewise is laid on the Table of the House [Placed in Library. See No. LT 104/77].

Set up in Andaman & Nicobar Islands

88 SHRI MANORANJAN BHAKTA: Will the Minister of HOME AFFAIRS be pleased to state

(a) whether Government propose to provide popular set up in the Union Territory of Andaman & Nicobar Islands; and

(b) if so, what will be the pattern?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH): (a) and (b) The Government has yet to take a decision in the matter.

Industries in Andaman and Nicobar Islands

89 SHRI MANORANJAN BHAKTA: Will the Minister of INDUSTRY be pleased to state

(a) whether Government propose to set up more industries in the backward areas; and

(b) if so, whether any special consideration will be given to the entrepreneurs to set up industries in Andaman and Nicobar Islands?

THE MINISTER OF INDUSTRY (SHRI BRIJLAL VERMA): (a) Yes Sir

(b) The Andaman and Nicobar Islands have been declared as an industrially backward area and special incentives like financial assistance on concessional terms, relief in income-tax, free technical consultancy services, subsidy on fixed capital investment, transport subsidy etc. are available to the entrepreneurs setting up industries in Andaman and Nicobar Islands. Benefits under the Rural Industries Project Programme are also available to these entrepreneurs.

Amnesty to Political Prisoners

90 SHRIMATI BIBHA GHOSH GOSWAMI: Will the Minister of HOME AFFAIRS be pleased to state

(a) whether Government propose to declare an amnesty to all political prisoners detained and convicted in all the States in the country;

(b) whether all warrants of arrests will be withdrawn and cases instituted against workers and leaders of political parties will be withdrawn; and

(c) whether sentences of all women political prisoners will be commuted and they will be freed?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH) (a) to (c) Following the revocation of emergency proclaimed on 25th June 1975 on 21st March 1977 all persons detained under section 16A of the Maintenance of Internal Security Act 1971 for the purpose of emergency have been released. Instructions have also been issued to all State Governments and Union Territories Administrations on 25th March 1977 to review cases of persons proceeded against under the Defence and Internal Security of India Rules. The State Governments have been advised to withdraw cases pending trial in courts or pending investigation and also remit unserved sentences in the case of those already convicted excepting in the cases of economic offenders and persons found guilty of violent acts.

Setting up of Enquiry Commission for Excesses Committed by Officials during Emergency

91 SHRI KRISHNA CHANDRA HALDER Will the PRIME MINISTER be pleased to state

(a) whether Government propose to appoint an Enquiry Commission to go into the misdeeds and excesses committed by the officials during the period of Internal Emergency in the name of family planning and

(b) if so the main features thereof?

THE PRIME MINISTER (SHRI MORARJI DESAI) (a) and (b) There is no proposal to appoint an Enquiry Commission. However specific complaints received from any one would be enquired into and necessary action taken wherever the complaints are found correct.

Favoured Treatment to Small Newspapers/Periodicals in vernacular languages

92 SHRI VASANT SATHE Will the Minister of INFORMATION AND BROADCASTING be pleased to state

the thinking of the Government to use DAVP in the matter of giving favoured treatment to small newspapers/periodicals in vernacular languages?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI) Advertisements are released to newspapers to meet varying publicity requirements and not as a measure of financial assistance. But remaining within these limitations small and medium newspapers particularly those published in Indian languages will be used for Government advertisements on an increasing scale. The question is therefore being looked into in detail.

Supply of uranium fuel by USA for Tarapur Atomic Power Station

93 SHRI VASANT SATHE Will the Minister of ATOMIC ENERGY be pleased to state

(a) whether the agreement for supply of uranium fuel by the U.S.A. for Tarapur Atomic Power Station has been renewed

(b) if so the main features thereof and

(c) if not at what stage the proposal stands?

THE PRIME MINISTER (SHRI MORARJI DESAI) (a) to (c) The agreement with the USA for supply of enriched uranium for the Tarapur Atomic Power Plant has not expired and therefore the question of renewal does not arise.

Production of Harvesters

94 SHRI JYOTIRMOY BOSU Will the Minister of INDUSTRY be pleased to state

(a) whether harvesters are being produced in the country,

(b) whether Government have decided to allow imports and

(c) if so facts thereof?

THE MINISTER OF INDUSTRY (SHRI BRIJLAL VERMA) (a) Self-propelled Combine Harvesters are not yet being manufactured in the country. Pull type combine harvesters were being produced in the country in the past but their production has been discontinued since 1974 due to lack of demand for this particular type of harvester.

(b) and (c) Proposals for imports alongwith plans for indigenous manufacture of self propelled combine harvesters are under consideration.

Closure of Industries

95 SHRI JYOTIRMOY BOSU

SHRI NAWAB SINGH CHAUHAN

SHRI C K. CHANDRAPPAN

Will the Minister of INDUSTRY be pleased to state

(a) the State-wise number of (1) large (2) medium and (3) small industrial establishments closed down since the declaration of internal emergency in June, 1975

(b) the number of establishments reopened todate

(c) the steps being taken to get all the establishments re-opened, and

(d) the number of persons rendered unemployed as a result thereof?

THE MINISTER OF INDUSTRY (SHRI BRIJLAL VERMA) (a) to (d) The information is being collected and will be laid on the Table of the House

Political Persons Arrested during Emergency

96 SHRI JYOTIRMOY BOSU

DR. VASANT KUMAR PANDIT

SHRIMATI PARVATHI KRISHNAN

SHRI C K. CHANDRAPPAN
SHRI YUVRAJ

Will the Minister of HOME AFFAIRS be pleased to state

(a) how many persons belonging to political parties were arrested under DIR and MISA after the promulgation of internal emergency in June 1975 (Section and Sub-section-wise arrests to be given if possible readily).

(b) how many persons have been released since then,

(c) how many persons are yet to be released, and

(d) under what sections of what Acts these persons are still in Jail?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH) (a) to (d) The information sought is being collected and will be laid on the Table of the House

Misuse of MISA, DIR and Sections 107 and 109 of IPC during Emergency

97 SHRI JYOTIRMOY BOSU

SHRI LAXMI NARAIN NAYAK

SHRI CHHABI RAM ARGAL

Will the Minister of HOME AFFAIRS be pleased to state

(a) whether his attention has been drawn to the large scale misuse of MISA, DIR, and Sections 107 and 109 of IPC during the period June 1975 to February 1977,

(b) if so the facts thereof

(c) whether Government propose to order a thorough probe into the allegations and

(d) whether the Government will provide State wise details of arrests and detentions?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH) (a) to (c) The Government are aware of general complaints of this nature. A decision as to whether an inquiry should be held and the manner in which the inquiry should be made is under active consideration of Government.

(d) A statement in this question has already been laid on the Table of the House on 5th April, 1977

Causes Leading to the Promulgation of Emergency

98 **SHRI SAMAR GUHA**

SHRI KANWAR LAL GUPTA

SHRI SURAJ BHAN

SHRI BASHIR AHMAD

Will the Minister of HOME AFFAIRS be pleased to state whether a National Commission will be appointed to go into the alleged causes that led to the promulgation of Emergency?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH) The suggestion made by the Hon'ble Members is under active consideration of Government

Names of Newspapers Penalised Under Censorship Orders during the Emergency

99 **SHRI SAMAR GUHA** Will the Minister of INFORMATION AND BROADCASTING be pleased to state

(a) names of newspapers including dailies and periodicals penalised under censorship orders during the Emergency,

(b) measures adopted against them,

(c) names of newspapers including dailies and periodicals which ceased their publications during the Emergency, and

(d) whether a Commission will be set up to go into the cases and to suggest measures for restoration of freedom of press?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI) (a) to (d) A statement is laid on the Table of the House [Placed in Library See No. LT-105/77] The statement does not include names of newspapers which have been penalised under various provisions of law other than censorship orders & M P Public Security Act

Publications of Books etc. in Justification of Emergency and 20 plus 5 Points Programme

100 **SHRI SAMAR GUHA** Will the Minister of INFORMATION AND BROADCASTING be pleased to state

(a) the names and number of books and booklets published by the Ministry of Information and Broadcasting in justification of Emergency and 20+5 points programme of the last Congress Government

(b) expenditure made thereon

(c) amount of the advertisements given in press dailies and other periodicals in defence and justification or as measure of publicity regarding Government stand on emergency and

(d) total expenditure made by the Information and Broadcasting Ministry in giving publicity etc in regard to justification and propagation of emergency measures?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI) (a) In all 218 books/booklets were published by the Ministry to Information and Broadcasting

in justification of Emergency and 20 plus 5 points programme of the last Congress Government at A list showing their names and number is laid on the Table of the House [Placed in Library See No LT-105 177]

(b) About Rs 1 64 39 850

(c) About Rs 1 18 00 000

(d) The information is being collected and will be laid on the Table of the House

Arrests made during Emergency

101 SHRI B C KAMBLE

SHRI HUKAMDEO NARAIN YADAV

Will the Minister of HOME AFFAIRS be pleased to state

(a) how many men and women were arrested during Emergency

(b) the number of such arrested persons party-wise group wise and organisation wise and whether all of them have been released till to day

(c) whether any of these persons arrested died in the jail or after release from the jail and what broadly are the causes of their deaths and

(d) whether there was any representation to the then Government from those arrested and taken ill prior to their death and if so with what result?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH) (a) 34630 persons were detained under the MISA during the period 25 6 1975 to 19 3-1977

(b) to (d) Information is being collected and will be laid on the table of the House

Drinking Water in Villages in MP

102 DR VASANT KUMAR PANDIT Will the Minister of HOME AFFAIRS be pleased to state

(a) whether any amount has been allotted to Madhya Pradesh for supply of drinking water to villages and interior areas inhabited by Harijans Adivasis and other backward communities and

(b) if so the amount allotted in 1975-76 and 1976-77 and the number of villages and areas covered during the above period?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH) (a) and (b) There is no Central Scheme for supply of drinking water to villages inhabited by Harijan Adivasis and other backward communities However under the minimum Needs Programme of the State Sector for rural water supply Rs 400 lakhs and Rs 350 lakhs have been provided for the year 1975 76 and 1976 77 respectively All the rural areas of the State including those inhabited by Harijans Adivasis and other backward communities are expected to be covered under this programme

Development of Bankura and Purulia Districts

103 DR BHOJOY MONDAL Will the Minister of INDUSTRY be pleased to state

(a) whether Bankura and Purulia are industrially backward districts in West Bengal and

(b) the steps Government have taken to establish cottage medium and heavy industries in these areas?

THE MINISTER OF INDUSTRY (SHRI BRIJ LAL VERMA) (a) Yes, Sir

(b) The following are some of the steps taken to establish industries in these areas

(i) The districts of Purulia and Bankura have been selected as industrially backward to qualify for concessional finance from financial institutions

(ii) The district of Purulia has been selected also to qualify for Central Scheme of investment subsidy

(iii) Industrial potential surveys of both these districts have been carried out and industries having scope have been identified. Industrial development campaigns for motivating the entrepreneurs and giving them spot advice have also been organised at Purulia and pre-industrial development campaign surveys have been carried out in Bankura

(iv) A number of other incentives like supply of machinery on concessional terms are available for setting up industries in backward districts

(v) Small Industries Service Institute, West Bengal Calcutta provides intensive help in these districts. One Officer has been assigned for these districts separately. He visits these districts and motivates entrepreneurs and provides technical assistance for developing industries

(vi) One Extension Centre (particularly for the development of carpentry and blacksmithy) is working at Bankura for providing technical assistance to small scale units

(vii) Projects for the manufacture of cement and high alloy steel have been sanctioned for establishment in the district of Purulia

(viii) A new growth centre in Purulia is also being developed

(ix) Khadi & Village Industries Commission have assisted 56 centres in these districts. Out of these 29 are working. These involve an investment of Rs 47.52 lakhs, production in 1975-76 of the order of Rs 33.59 lakhs and employment to about 3000 persons

(x) In 1974 four Letters of Intent and 4 Industrial Licences were issued for the establishment of industries in the districts of Purulia and Bankura. In 1975 six Letters of Intent were issued. Two schemes have been registered with the DGT

(xi) These districts are also covered under Central Rural Industries Project and Rural Artisan programmes

In addition the State Government also provide assistance for establishment of industries in these districts through promotional agencies incentives scheme etc

Deployment of BSF and CRP in States

104 SHRI SUSHIL KUMAR DHARA Will the Minister of HOME AFFAIRS be pleased to state

(a) whether the Government propose to take a fresh decision regarding deployment of CRP, BSF and any other such forces in the States, and

(b) if so, the main features thereof?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH) (a) and (b) Presumably the question is with reference to the provisions of Article 257A of the Constitution. If it be so, this matter will be reviewed along with the other provisions of the Forty-second Amendment to the Constitution in due course.

भारत रक्षा नियमों और सांसदा के अंतर्गत बंदी बोकारी इत्यादि कारखाने के कर्मचारी

105 श्री भानुदेव प्रसाद पादव
क्या यह मंत्री यह बताने की कृपा करेंगे कि आसामाज के दौरान बिहार में बोकारी इत्यादि कारखाने के कानून कर्मचारी आसामाज और भारत रक्षा नियमों के अन्तर्गत बंदी बनाने गए ?

यह मंत्री (श्री श्री चरण सिंह) : बिहार सरकार से प्राप्त सूचना के अनुसार अखिलेश के दौरान आसामाज गुरुआ बन्द एररना अधिनियम, 1971 के अन्तर्गत राज्य में बोकारी इत्यादि कारखाने का कोई कर्मचारी बंदी नहीं बनाया गया था ।

आसामाज के दौरान भारतीय रक्षा तथा आसामाज गुरुआ नियम, 1971 के अधिनियम कारखाने के 19 कर्मचारी गिरफ्तार किए गए थे । इन कर्मचारियों के खिलाफ बनाये गये मामलों को वापस लेने के लिए राज्य सरकार ने पहले ही आदेश जारी कर दिये हैं ।

राज्यपालों की नियुक्ति

106. श्री श्री चन्द्रावती • क्या यह मंत्री यह बताने की कृपा करेंगे कि :

(क) राज्यपालों की नियुक्तियों सम्बन्धी नियम क्या हैं और वे कितनी अवधि के लिए पद पर रहते हैं ;

(ख) हरियाणा के राज्यपाल, स्वर्गीय श्री श्री एन. एन. चक्रवर्ती का कार्यकाल कब समाप्त हुआ और कार्यकाल के समाप्त हो जाने के उपरान्त भी वह किस नियमों के अन्तर्गत अपने पद पर आसीन रहे, और

(ग) यदि वे कार्यकाल के समाप्त होने के उपरान्त भी अपने पद पर आसीन रहते क्या उन पर हुआ क्या उनके उत्तराधिकारियों से वसूल करने का विचार है ?

यह मंत्री (श्री श्री चरण सिंह) :

(क) राज्यपाल के उपरान्त के अधिनियमों राज्य के राज्यपाल को राष्ट्रपति द्वारा अपने हस्ताक्षर और मुद्रा सहित अधिपत्र द्वारा नियुक्त किया जाता है (अनुच्छेद 155) । वह राष्ट्रपति के प्रमद पर्यन्त पदावधि पद धारण करता है । राज्यपाल के पद की अवधि उनसे पद ग्रहण की तारीख से पाव वरं तक है परन्तु अपने पद की अवधि की समाप्ति हो जाने पर भी राज्यपाल अपने उत्तराधिकारी के पद ग्रहण तक पद धारण किए रहेंगे (अनुच्छेद 156) । कोई व्यक्ति राज्यपाल नियुक्त होने का पात्र नहीं होता जब तक कि वह भारत का नागरिक न हो तथा पैंतीस वर्ष की आयु पूरी न कर चुका हो (अनुच्छेद 157) ।

(ख) और (ग) राज्यपाल के रूप में स्व. श्री श्री एन. चक्रवर्ती के पद की सामान्य अवधि 14-9-1972 को समाप्त हो गई थी । परन्तु अपने उत्तराधिकारी के नियुक्त होने तक अनुच्छेद 156 (3) के उपरान्त के अनुसार वे अपने पद की अवधि समाप्ति के बाद भी पद धारण किए रहेंगे । भव उनकी पदावधि समाप्त होाने के बाद राज्यपाल के रूप में उन पर हुए खर्च को उनके उत्तराधिकारियों से वसूल करने का प्रयत्न नहीं उठाना ।

आकाशवाणी और दूरदर्शन को स्वायत्तशासी नियम बनाया जाना

107 श्री नारायण कृष्ण शेखरकर : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या आकाशवाणी और टेलीविजन विभागों को स्वायत्तशासी संगठन बनाए जाने की दशा में वहां काम करने वाले कर्मचारियों की पूर्ण तथा वर्तमान सेवा शर्तों को ध्यान में रखा जाएगा तथा क्या पहले की गई अनियमितताओं का निराकरण किया जाएगा ;

(ख) यदि हा, तो इस सम्बन्ध में धनवाई जाने वाली नीति तथा प्रक्रिया क्या होगी और क्या क्लानारो के साथ न्याय किये जाने के लिए कोई कार्यवाही की जाएगी ?

भूचना और प्रसारण मंत्री (श्री सति कृष्ण भडवानी) : (ब) और (ख) आकाशवाणी और दूरदर्शन को स्वायत्तशासी निगमों के रूप में परिवर्तित करने का प्रश्न इस समय विचाराधीन है। इस प्रवृत्ति पर भय मामलों के बारे में विचार बनाना समयपूर्व है।

पुलिस तथा अधिकारियों द्वारा आपात-स्थिति के दौरान की गई कृति अनियमितताएँ

108 श्री नारायण कृष्ण शेजवलकर
क्या गृह मंत्री यह बताने की कृपा करेंगे कि

(क) गत 20 महीनों अर्थात् आपात-स्थिति के दौरान कानून तथा व्यवस्था बनाए रखने के लिए उत्तरदायी पुलिस विभाग और अधिकारियों ने जो अनियमितताएँ बरती हैं तथा अधिकारों का जो दुरुपयोग किया है, उनके बारे में क्या कोई न्यायिक जांच कराने का विचार है, और

(ख) क्या इन अनियमितताओं का विचार होने वाले व्यक्तियों का शक्तिपूर्वक जांच और दोषी व्यक्तियों को दण्ड दिया जाएगा ?

गृह मंत्री (श्रीधर चरण सिंह) :

(ब) और (ख) आपात स्थिति के दौरान की गई ज्यादतियों की जांच करने की भाग सरकार के विचाराधीन है।

Special Scheme for Backward Areas In Madhya Pradesh

109 DR VASANT KUMAR PAN
DIT Will the Minister of PLANNING
be pleased to state

(a) the number of areas from Madhya Pradesh and Maharashtra selected under the Central Scheme for special Backward Areas,

(b) the amount allotted for the development of such areas in Madhya Pradesh and Maharashtra for the years 1975-76 and 1976-77, and

(c) how much of the above allotment was actually utilised in the years 1975-76 and 1976-77?

THE PRIME MINISTER (SHRI MORARJI DESAI) (a) to (c) A statement is laid on the Table of the House

The Central Scheme for Special Backward areas relates to industrially backward districts where concessional finance and investment subsidies are given. There are certain other areas also requiring special attention information regarding which is given at Sl No (1), (2) and (3) in the enclosed statement.

STATEMENT

* (Rs. in lakhs)

Central Scheme	Number of areas	Madhya Pradesh			
		Outlay		Expenditure	
		1975-76	1976-77	1975-76	1976-77
		3	4	5	6
(1) Tribal Sub-Plan	3 whole districts and part of 18 other districts	100.00†	101.00	N.A.	127.89*
(2) Tribal Development Agency	2 districts	69.90	91.00	91.19	33.22‡
(3) Drought Prone Area Programme	6 districts	215.00	250.00	345.11**	198.77**
(4) Concessional Finance	36 districts	{			
(5) Investment Subsidy	36 districts				

Central Scheme	Number of areas	Maharashtra			
		Outlay		Expenditure	
		1975-76	1976-77	1975-76	1976-77
		8	9	10	11
(1) Tribal Sub-Plan	Parts of 10 districts	104.00†	231.00		N.A.
(2) Tribal Development Agency					
(3) Drought Prone Area Programme	6 districts	176.00	255.00	255.36**	198.15**
(4) Concessional Finance	13 districts	{			
(5) Investment Subsidy	3 districts				

† Releases

* Anticipated

‡ Up to December 1976

** Includes State contribution also.

‡ Funds are not allotted to the States for the selected districts areas. Concessional finance is offered by the All India term lending financial institutions to entrepreneurs for setting up industries substantial expansion of existing units in the industrially backward districts selected for the purpose. Similarly, investment subsidy to industries in the areas districts selected for the purpose is reimbursed by the Centre.

Police Firing during Emergency

110 SHRI KANWAR LAL GUPTA
Will the Minister of HOME AFFAIRS
be pleased to state

(a) the details of police firings during the emergency, and

(b) the number of casualties during the emergency period?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH) (a) and (b) The information is being collected from the States Union Territories and will be laid on the table of the House as soon as possible

भाषात स्थिति के दौरान सी० आर० पी० और बी० एस० एफ० द्वारा गोली चलाये जाने से मारे गये लोग

111 श्री नवाब सिंह चौहान क्या गृह मन्त्री यह बताने की कृपा करेंगे कि

(क) आन्तरिक आपात स्थिति के दौरान सी० आर० पी० और बी० एस० एफ० द्वारा गोली चलाये जाने व कारण माने गये लोगों का स्थानवार ब्योरा क्या है,

(ख) इन बलों को कितने बार राज्यों को भेजा गया और कहा-बहु कब-कब भेजा गया और

(ग) क्या राज्य सरकारों ने अनुरोध पर इन बलों को वापस भेजा गया ?

गृह मंत्री (चौधरी चरण सिंह)

(क) पिछली आन्तरिक आपात स्थिति के दौरान सी० आर० पी० द्वारा गोली चलाये जाने के कारण मारे गये लोगों के स्थानवार ब्योरा का विवरण सभा पटल पर रखा है। [प्रयालय में रखा गया। देखिये सध्या एन टी—107 77] बी० एस० एफ० जब आन्तरिक सुरक्षा उद्योग पर भी तो उसने गोली नहीं चलाई थी।

(ख) पिछली आन्तरिक आपात स्थिति के दौरान आन्तरिक सुरक्षा उद्योग के लिए विभिन्न राज्यों में प्रतिनियुक्ति बी० एस० एफ० सी० आर० पी० की कम्पनियाँ भी सध्या के दो विवरण सभा पटल पर रखे हैं। [प्रयालय में रखा गया। देखिये म० एन टी 107/77]।

(ग) जी हाँ श्रीमान्।

भिलाई दरपात समय के मौला के अन्तर्गत गिरफ्तार किये गये कर्मचारी

112 श्री मोहन भैया क्या गृह मन्त्री यह बताने की कृपा करेंगे कि

(क) आपातकालीन स्थिति के दौरान भिलाई दरपात समय के तत्काल कर्मचारियों के मौला के अन्तर्गत गिरफ्तार किया गया,

(ख) क्या इन मौला बन्दियों के परिचारकों को अधिक सहायता दी गई थी और यदि हाँ तो कितनी, और

(ग) क्या इन मौला नजरबंदियों को परोल की सुविधाएँ दी गई थी और यदि हाँ, तो कितने कर्मचारियों ने इस सुविधा का लाभ उठाया ?

गृह मंत्री (चौधरी चरण सिंह) ()
से (ग) राज्य सरकार से सूचना एवम्ति की जा रही है और सदन के पटल पर रख दी जायगी।

Executive Excesses during Emergency

113 SHRI S KUNDU

SHRI NIRMAL CHANDRA JAIN

Will the Minister of HOME AFFAIRS be pleased to state

(a) whether Government have decided to investigate into the

various acts of omission and commission of executive excesses and police brutalities perpetrated on the innocent citizens during the period of second emergency and fix up responsibilities for such acts and

(b) whether Government have any proposal to start criminal and civil cases and institute departmental cases for such erring persons?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH) (a) and (b) The Government are aware of general complaints of this nature. A decision regarding investigation into such complaints will be taken on merits of each case as and when specific cases are brought to the Government's notice. Depending upon the results of such investigations appropriate action will also be initiated against the erring persons.

Statement made by former Minister of State for Home Affairs in Mexico

114 SHRI S. KUNDU Will the Minister of HOME AFFAIRS be pleased to state

(a) whether the former Minister of State for Home Affairs while at Mexico sometime in 1976 made a statement to the effect that in India only "terrorists" are detained under MISA and

(b) if so the steps taken to tell the truth to the people abroad?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH) (a) According to our mission in Mexico the former Minister of State in the Ministry of HOME AFFAIRS had said

"Naturally there were many arrests and the state of emergency was declared. A little later the majority of political prisoners were freed, except for the terrorists"

(b) In reply to a number of questions tabled in the House Information

will be furnished about the facts relating to detentions made under the Maintenance of Internal Security Act, 1971 during the emergency. These facts would be reported by the press, in India and abroad, for the information of the public.

Dialyses Arrangement for Shri Jayaprakash Narayan

115 SHRI SAMAR GUHA Will the Minister of HOME AFFAIRS be pleased to state

(a) whether Government will take up all necessary steps including setting up of additional Dialyses at places where so required to meet the medical requisites for proper medical attention of Lok Nayak Jayaprakash Narayan, and

(b) if so the steps proposed to be taken by the Government?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH) (a) and (b) Shri Jayaprakash Narayan is presently admitted in the Jaslok Hospital, Bombay and is getting treatment of his choice. He has been undergoing dialysis at Bombay and Patna. If it is found necessary to provide any facilities at any other place the Ministry of Health will consider the same.

Issue of Licences to West Bengal

116 SHRI SOUGATA ROY Will the Minister of INDUSTRY be pleased to state

(a) the number of industrial licences issued to West Bengal in 1976-77, and

(b) particulars thereof?

THE MINISTER OF INDUSTRY (SHRI BRIJLAL VERMA) (a) During the period April, 1976-February, 1977 55 industrial licences were issued for location of projects in Bengal.

(b) The details of industrial licences including name of the party item of manufacture, capacity, location of the project etc are published in "Weekly Bulletin of Industrial Licences Import Licences & Export Licences", 'Indian Trade Journal' and 'Monthly List of Letters of Intent and Industrial Licences'. Copies of the publications are available in the Parliament Library.

Completion of Nuclear Power Stations at Kalpakkam and Rana Pratap Sagar

117 SHRI SOUGATA ROY Will the Minister of ATOMIC ENERGY be pleased to state

(a) the progress of work at the nuclear power stations at Kalpakkam and Rana Pratap Sagar,

(b) the reasons for delay in completion of work,

(c) whether the external aid positions with respect to these power stations is satisfactory, and

(d) the Government's policy with regard to fast breeder reactors for future power stations?

THE PRIME MINISTER (SHRI MORARJI DESAI) (a) The first unit of the Rajasthan Atomic Power Station has been in commercial operation since December 1973. Pre-commissioning trial runs of various system of the second unit of the Rajasthan Atomic Power Project are in progress. As regards the first unit of the Madras Atomic Power Project at Kalpakkam the work of erection of major nuclear equipment and turbo generator is in an advanced stage. Civil works have been largely completed for the second unit and manufacture of equipment is in progress.

(b) The delay in completion has been mainly due to delays encountered

in the indigenous manufacture of major nuclear and conventional equipment, non-availability at certain times of essential construction material and difficulties experienced in procuring from alternative sources specialised equipment affected by the embargo imposed by certain countries.

(c) We are no longer dependent on external aid for the Rajasthan Atomic Power Project. The Madras Atomic Power Project is being set up without any external aid.

(d) Government have initiated a programme so that eventually substantial quantities of power can be generated using relatively more abundant thorium. The programme consists of the setting up of an experimental Fast Breeder Test Reactor (FBTR) at Kalpakkam in Tamil Nadu by 1979-80 for providing experience in the construction and operation of sodium cooled fast breeder reactors as a first step. The next step will be the construction of commercial fast breeder reactors after sufficient experience has been gained in the operation of the FBTR.

Naxalite Prisoners in West Bengal

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(a) the number of Naxalite prisoners held in West Bengal on various charges and

(b) the future policy of Government with regard to Naxalites?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH) (a) Information on Naxalites in custody as under trials for specific offences under various laws is being collected and will be laid on the Table of the House.

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in the indigenous manufacture of major nuclear and conventional equipment, non-availability at certain times of essential construction material and difficulties experienced in procuring equipment affected by the embargo imposed by certain countries.

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(a) the number of Naxalite prisoners held in West Bengal on various charges, and

(b) the future policy of Government with regard to Naxalites?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH) (a) Information on Naxalites in custody as under trials for specific offences under various laws is being collected and will be laid on the Table of the House.

(b) While Government do not approve of their ideology and reiterate that violent activities on the part of Naxalities would be firmly dealt with in accordance with law Government are also of the view that indefinite continuance in detention of such persons cannot be a solution to the problem posed by them. The State Governments are therefore, being advised to release all such Naxalities in detention except in cases where such detentions had been made on account of their recent indulgence in violent activities. The State Governments are being further advised that investigation and trial of cases involving Naxalities may be expedited.

Stopping of Advertisement/Propaganda regarding 20-Point Programme

119 SHRI S. G. MURUGAIYAN
SHRI N. K. SHEJWALKAR

Will the Minister of INFORMATION AND BROADCASTING be pleased to state

(a) whether his ministry has stopped all kinds of advertisements/propaganda regarding the 20-Point economic programme evolved by the previous Governments

(b) the reason therefor, and

(c) the total amount spent so far for this purpose indicating month-wise details thereof?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI) (a) and (b) All media have been directed to revert to the publicity strategy as it obtained prior to the declaration of Emergency. However, important socio-economic programmes would continue to be publicised.

(c) The information is being collected and will be laid on the Table of the House

Implementation of 20-point economic Programme

120 SHRI A. K. RAJAN Will the Minister of PLANNING be pleased to state

(a) whether Government have decided to stop the implementation of the 20-Point economic Programme, and

(b) if so the reason therefor?

THE PRIME MINISTER (SHRI MORARJI DESAI) (a) The 20-point economic programme is obviously ad-hoc in character. There are no inter se defined priorities nor clearly established interconnections. It is also not clear what is the relationship between this programme and planned economic development. Consequently many items which form part of accepted national policy do not figure in the programme. The Government will carefully study such omissions and thereafter integrate them with the comprehensive economic programme within the framework of our planning and in terms of the broad economic objectives set out in the Acting President's speech to Parliament.

(b) Does not arise

Plan Outlay for Fifth Plan

121 SHRI M. KALYANASUNDARAM
SHRI C. K. CHANDRAPAN

Will the Minister of PLANNING be pleased to state

(a) the total plan outlay for the current Fifth Plan period,

(b) the total amount to be allocated annually for the State sector (public sector) for the current plan period and

(c) the rate of growth in the public sector during this period?

THE PRIME MINISTER (SHRI MORARJI DESAI): (a) to (c). Chapter V of the Fifth Five Year Plan 1974-79 gives the details of Plan outlays. The revised plan outlay for the public sector as approved by the National Development Council at its meetings held on September 24-25, 1976 is Rs. 39,303 crores excluding provision for inventories. The year-wise break-up of this outlay together with the year-by-year percentage growth rate are set out below:—

Year	Annual plan outlay	% Increase over the previous year's plan outlay.
1974-75	4343.68	10.9
1975-76	5973.09	23.4
1976-77	7351.93	31.3
1977-78	9953.00	26.8

Implementation of Recommendations for benefit of Delhi Police Personnel

122. SHRI M. KALYANA SUNDARAM: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government have taken a decision regarding the recommendations made in 1968 for the benefit of the Delhi Police personnel; and

(b) if so, the facts thereof and the reasons for delay in implementing them?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH): (a) and (b) It is presumed that the question refers to the recommendations made by the Delhi Police Commission (1966-63)

The recommendations made by the Commission have been considered. A statement indicating the action taken on the relevant recommendations is laid on the Table of the

House [Placed in Library. See No. LT-108/77].

Setting up of Space Stations in 1977-78

123. SHRI M. KALYANA SUNDARAM: Will the Minister of SPACE be pleased to state:

(a) the number of space stations Government propose to set up in the financial year 1977-78; and

(b) the performance of the existing stations?

THE PRIME MINISTER (SHRI MORARJI DESAI): (a) None, Sir

(b) The performance of the existing stations, namely, the Thumba Equatorial Rocket Launching Station (TERLS) at Trivandrum, The Experimental Satellite Communication Earth Station (ESCES), at Ahmedabad, the Delhi Earth Station (DES) at Delhi, the Satellite Tracking and Ranging Station (STARS) at Kavaratti, Tamilnadu, is satisfactory.

Release of persons Detained under MISA and DIR

124. SHRIMATI PARVATHI KRISHNAN:

SHRI C. K. CHANDAPPAN:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government have released all the detenus who were arrested under MISA and DIR in all the States; and

(b) if so, their number, State wise?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH): (a) and (b). Presumably the information is required in respect of persons detained under the Maintenance of Internal Security Act in the context of emergency proclaimed on 25th June, 1975. On 19th March, 1977, 10,003 persons in whose cases

Section 16A of the Act was invoked were in detention. With the revocation of emergency on 21st March, 77 all these detenues were released. State-wise break-up is given in the attached statement.

There is no provision under the Defence and Internal Security of India Rules, 1971 for preventive detention.

Statement

Sr. No. Name of the State/ Union Territory Number of persons released.

1	Andhra Pradesh	256
2	Assam	129
3	Bihar	1412
4	Gujarat	266
5	Haryana	19
6	Himachal Pradesh	2
7	Jammu & Kashmir	221
8	Karnataka	110
9	Kerala	388
10	Madhya Pradesh	1390
11	Maharashtra	1414
12	Manipur	29
13	Meghalaya	22
14	Nagaland	24
15	Orissa	137
16	Punjab	23
17	Rajasthan	143
18	Sikkim	4
19	Tamil Nadu	130
20	Tripura	13
21	Uttar Pradesh	4406
22	West Bengal	217
23	Chandigarh	4
24	Delhi	74
25	Goa—Daman & Diu	8
26	Mizoram	55
27	Pondicherry	12
Total		10903

The information in respect of Union Territories of Arunachal Pradesh, Andaman & Nicobar Islands, Dadra & Nagar Haveli and Lakshadweep is 'nil'.

Consumption of Energy for Industrial and Agricultural Production

125. SHRIMATI PARVATHI KRISHNAN:

SHRI C. K. CHANDRAPAN:

Will the State Minister of ENERGY be pleased to state;

(a) how much energy was consumed for the industrial production and Agricultural production and for the development of space technology during the years 1975-76, 1976-77;

(b) whether due to power failure the industrial production was affected in the country,

(c) if so, the facts thereof,

(d) whether Government have taken a decision to change the energy policy; and

(e) if so, the main feature thereof?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) The energy consumed in the industrial production and agricultural production for the year 74-75 & 75-76 is as under:—

	Industries (Million Kwhr)	Agriculture
74-75	38278	7763
75-76	43346	8721

The actual consumption of energy during 76-77 has so far not been compiled as the figures are generally compiled after the completion of the financial year.

The details of the energy consumed for the development of space technology is as under:

75-76	8330 Million Kwhr
76-77	12754 Million Kwhr

(b) and (c) It is not possible to assess the extent of loss in production solely due to power shortage as a number of other factors are also involved.

(d) and (e). The main components of the Energy Policy are indicated below

(1) To the extent practicable and economic, coal shall be the principal source of energy in the country and, therefore, its exploration, exploitation and utilisation should be programmed accordingly

(2) The policy for oil shall be to reduce the quantity of imports and to maximise indigenous production,

(3) Use of oil shall be substituted wherever technically and economically possible, by other forms of energy.

(4) The rate of growth of electricity production should be adequate to meet the future needs including the additional demands arising from the use of electricity in place of oil.

(5) Electricity production should be based on the use of hydro power, coal and nuclear energy.

(6) The policy relating to commercial forms of energy should be reviewed every year in the first instance

(7) A study of the transport system, in terms of energy needs, should be made so as to plan the future growth of this sector.

(8) Meeting rural energy needs shall be given high priority

(9) A rapid increase shall be made in the use of bio-gas.

(10) The social forestry programme shall be implemented more effectively.

(11) Alternative fuels to kerosene should be provided and consump-

tion of kerosene discouraged, particularly by the use of price mechanism

(12) Energy production and utilisation must be made as efficient as possible

(13) The pricing for energy should be such that at a reasonable level of operating efficiency, an adequate return to the industry is guaranteed and it is able to generate large funds for development purposes. Prices should also promote the desired pattern of energy use and provide energy conservation

(14) The non-conventional energy sources like solar and geo-thermal energy, bio-gas, tidal power etc. should be developed with the greatest priority to solar energy and bio-gas

(15) The R&D programmes relating to energy should be pursued vigorously

(16) Implementation of the energy policy should be adequately monitored and frequently reviewed. Government will keep constantly under review the various aspects of Energy Policy with a view to ensuring its conformity with the overall requirements of the economy.

Increased Pension to Ex-Servicemen

125 SHRIMATI PARVATHI KRISHNAN Will the Minister of DEFENCE be pleased to state—

(a) how many ex-servicemen have got increased pension so far; and

(b) how many widows of the sepoy's had been given financial assistance to set up self-employment projects in 1972-73, 1973-74 and 1974-75?

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM) (a) As a result of the acceptance of the recommendations of the Third Pay

Commission and Government decisions thereon the pension of 1970 Commissioned Officers and 53 738 personnel below officer rank who retired on or after 1-1-1973 has so far been increased.

(b) The number of cases in which Directorate General of Resettlement has arranged financial assistance is as follows —

1972-73 — Nil

1973-74 — 5

1974-75 — 10

Setting up Atomic Power Projects

127 SHRI P. K. KODIYAN Will the Minister of ATOMIC ENERGY be pleased to state

(a) whether there is any proposal to set up more atomic power projects in the country and

(b) if so the number of such projects and their location?

THE PRIME MINISTER (SHRI MORARJI DESAI) (a) and (b) The Committee appointed by Government for selection of suitable sites for the setting up of Nuclear Power Stations has submitted its reports in respect of the Western and Southern Electricity Regions. The reports of the Committee are under consideration of Government.

Setting up of a T.V. Centre in Kerala

128 SHRI SKARIAH THOMAS Will the Minister of INFORMATION AND BROADCASTING be pleased to state

(a) whether the Government have any proposal to set up a T.V. Centre in Kerala State,

(b) the name of the place where the proposed T.V. Centre is likely to be set up and whether any preliminary survey has been made, and

(c) total expenditure anticipated and when it is likely to start functioning?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI) (a) No, Sir.

(b) and (c) Do not arise

Shortage of Vanaspathi in Kerala

129 SHRI SKARIAH THOMAS Will the Minister of CIVIL SUPPLIES AND COOPERATION be pleased to state

(a) whether Government are aware of the acute shortage of Vanaspathi in Kerala State, and

(b) if so steps taken therefor?

THE MINISTER OF COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION (SHRI MOHAN DHARIA) (a) and (b) Shortage of vanaspathi in Kerala has been reported by the State Government since October, 1976. Vanaspathi manufacturers were asked to augment supplies to Kerala and as a result, against the estimated requirement of the State of 318 tonnes per month, the following are the despatches of vanaspathi made to the State of Kerala since October, 1976

Month	Quantity despatched (in tonnes)
October, 1976	163
November, 1976	266
December, 1976	342
January, 1977	336
February, 1977	310

Quality of Cars

130 SHRI SKARIAH THOMAS Will the Minister of INDUSTRY be pleased to state

(a) whether the quality and the standard of the cars manufactured in

the country is diminishing day by day and if so, the reasons therefor; and

(b) the steps taken to improve the quality as the prices of the cars are going up?

THE MINISTER OF INDUSTRY (SHRI BRIJLAL VERMA): (a) and (b). The fall in demand for passenger cars as a result of the high prices of cars and higher maintenance cost on account of the increase in the prices of petrol and lubricants has brought in the operation of the 'buyer's market'. As a result, the price control on all the three makes of passenger cars has been removed with effect from 1st January, 1975. There has been a fall in the prices of passenger cars since then. The quality of Indian cars in general, however, requires to be brought up to the desired standards. To meet this objective, a scheme has been introduced for checking the quality of cars through periodical testing from the production line and feed-back to manufacturers of the defects noticed during the testing so that corrective measures are taken by them to improve the quality. A Quality Assurance Cell has been set up by the Controller of Inspection (Vehicles), at Ahmednagar to enforce quality consciousness on the manufacturers by analysing the defects noticed, pin-pointing the causes for the same and suggesting remedial measures after carrying out a through inspection.

Introduction of Yuva Vani Programme at Trivandrum

131. SHRI SKARIAH THOMAS: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether the Government has taken final decision to introduce Yuva Vani programme at Trivandrum; and

(b) if so, when it is likely to be introduced?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI): (a) Yes, Sir.

(b) The Trivandrum Station of Akashvani started the broadcast of Yuva Vani programme with effect from 3rd April, 1977

Release of Economic Offenders

132 SHRI K. RAMAMURTHY: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether after lifting the internal emergency by the Government of India, the economic offenders were released;

(b) whether there is any proposal to enact a new law to deal with those matters; and

(c) if so, whether it will be with the retrospective effect?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH): (a) With the revocation of emergency proclaimed on 25th June, 1975 in the context of threat of internal disturbance on 21st March, 1977, economic offenders held under section 16A of the Maintenance of Internal Security Act and section 12A of Conservation of Foreign Exchange and Prevention of Smuggling Activities Act were released as the aforesaid provisions lapsed. As regards economic offenders being proceeded against under the provisions of the Defence and Internal Security of India Rules the Government do not consider it appropriate to withdraw action initiated during the emergency.

(b) and (c). The strengthening of existing laws to deal with economic offenders is under examination in the address of the Vice President acting as President on 28th March, 1977.

Number of Motion Picture Banned during Emergency

133 DR. VASANT KUMAR PANDIT
Will the Minister of INFORMATION AND BROADCASTING be pleased to state

(a) how many Motion Picture were banned by the Censor Board on Political reasons during the Emergency period

(b) is it a fact that the film entitled "KISSA KURSI KA"—produced by Shri Amrit Nabata was blamed by the Censor Board on Political reasons

(c) whether the Government order ed reconsideration of all such banned films and

(d) if so how many decisions have been changed?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI) (a) The power to ban picture does not rest with the Censor Board but with Government. The only picture banned by Government during this period on grounds other than violence sex, vulgarity etc. was "AT FIVE PAST FIVE".

(b) This picture was not banned but refused certificate

(c) No Sir

(d) Does not arise

Imposition of Complete Censorship on Newspapers in Madhya Pradesh

134 DR. VASANT KUMAR PANDIT
Will the Minister of INFORMATION AND BROADCASTING be pleased to state

(a) whether on or about 18th March, 1977 complete censorship was imposed on Raipur (M.P.) newspapers by the Additional District Magistrate Raipur on printing/publication of the news items relating to the attack on a Janta candidate and Party Workers;

(b) whether Chief Minister of Madhya Pradesh and the former Union Minister of Information and Broadcasting had given the above orders of censorship

(c) whether President of the Madhya Pradesh Union of Working Journalist (Raipur Unit) has complained about this incident, and

(d) whether Government have investigated the matter and if so, action taken thereon?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI) (a) to (d) Government's attention has been drawn to a press report of this incident. Government, however, has made enquiries from the Government of M. P. but no reply has yet been received

भारत रक्षा नियमों के अन्तर्गत राजनीतिक बन्धियों के विचाराधीन मामले

135. श्री धीरराज :

श्री छवी राम शर्मा :

क्या गृह मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या भारत रक्षा नियमों के अन्तर्गत राजनीतिक बन्धियों के मामले विचाराधीन हैं ,

(ख) यदि हाँ, तो उनकी संख्या कितनी है, और

(ग) भारत रक्षा नियमों के अन्तर्गत चलाये गये मामलों को सरकार का अब तक बापस लेने का विचार है ?

गृह मंत्री (श्री श्री चरण सिंह) : (ग) और (ख) भारत रक्षा तथा आन्तरिक सुरक्षा नियमों के अधीन मामलों में अन्तर्गत राजनीतिक व्यक्तियों की संख्या से सम्बन्धित सूचना

राज्य सरकारों तथा सच राज्य क्षेत्र प्रशासनों से एवजित की जा रही है।

(ग) भारत रक्षा तथा भ्रान्तरिक सुरक्षा नियमों के अधीन जाच-पड़ताल तथा विचारण के लिए लम्बित पड़े मामलों पर पुनर्विचार करने और अधिक प्रपराधिओं तथा हिंसक कार्यों के दोषी व्यक्तियों के मामले को छोड़कर सभी मामलों को वापस लेने के लिए राज्य सरकारों सच राज्य क्षेत्र प्रशासनों को अनुरोध दिये गये हैं। इन अनुदेशों में वे व्यक्ति भी शामिल हैं जिन्हें न्यायालयों द्वारा भारत रक्षा तथा भ्रान्तरिक सुरक्षा नियमों के विभिन्न उपबन्धों के अधीन सजा दी गई है और राज्य सरकारों सच राज्य क्षेत्र प्रशासनों को उपर्युक्त दोनों श्रेणियों के कंदियों के मामलों, अर्थात् अधिक प्रपराधिओं और हिंसक कार्यों के दोषी व्यक्तियों को छोड़ कर ऐसे सभी कंदियों की सजाएँ जो उनके द्वारा काटी नहीं गई हैं माफ करने की सलाह दी गई है।

Geo-Thermal Power Sources

136 SHRI P RAJAGOPAL NAIDU
Will the Minister of ENERGY be pleased to state

(a) whether there are any Geo-Thermal Power sources in our country, and

(b) whether the Government are utilising the sources?

THE MINISTER OF ENERGY (SHRI P RAMACHANDRAN) (a) Geo thermal manifestations in the form of hot springs occur in several parts of the country. The most important among these are located in North-western Himalayas and along the West Coast.

(b) Investigations are at present in progress in promising areas in the North Western Himalayas and along the West Coast to establish the geo-

thermal energy potential and examine the feasibility of utilising it for power generation. Some experiments relating to utilisation of geo-thermal energy from some investigation holes have been tried for uses other than power generation like refining borax and sulphur.

Utilisation of Solar Energy

137 SHRI P RAJAGOPAL NAIDU
Will the Minister of ENERGY be pleased to state

(a) whether any research is being conducted regarding utilisation of solar energy, and

(b) if so, the results thereof?

THE MINISTER OF ENERGY (SHRI P RAMACHANDRAN) (a) and (b) Yes, Sir. Research activities are directed towards developing (i) thermal uses of solar energy, and (ii) direct conversion into electricity. The thermal uses of solar energy require devising of collector systems and using this energy directly or by converting it into mechanical energy. Considerable progress has been made in developing flat plate collectors which enable solar energy to be utilised at low and medium temperatures. Work is continuing on improving the collection system by evolving appropriate selective coatings and on reducing the cost of collection. Priorities have also been laid down for the end use of such energy and the main items are as follows:

- (i) pumping for irrigation purposes;
- (ii) drying of agricultural products;
- (iii) cooling for food preservation;
- (iv) desalination of salt and brackish water;
- (v) water heating and space heating;
- (vi) air conditioning.

Work on developing suitable systems for these items has been undertaken. As yet, the only item which is near commercial viability is that for water and space heating. In addition, a pilot project has also been taken up for using the thermal energy collected through flat plate collectors for generating electricity, using the conventional technology. The plant is expected to be commissioned by the end of 1977.

Technical feasibility of directly converting solar energy into electricity, using solar cells, has been established but the systems are costly and not economically viable. Work is continuing for improving technology and reducing costs.

National Consumer Protection Council

138. SHRI P RAJAGOPAL NAIDU: Will the Minister of CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether there is a National Consumer Protection Council in the country;

(b) if so, its activities; and

(c) whether it is having branches in the States?

THE MINISTER OF COMMERCE AND CIVIL SUPPLIES & COOPERATION (SHRI MOHAN DHARIA): (a) and (b). A decision has been taken to set up a National Consumer Protection Council to build up and foster consumer movement in the country. The activities envisaged for this apex body include tendering of advice to the Central Government on matters related to production, supplies and distribution of essential commodities; examination of consumer grievances and initiation of remedial action; bringing to the notice of the concerned agencies problems relating to trade practices or prices of specified commodities, collecting and disseminating information relating to consumer matters; assisting State Governments and Union Territories in development of the consumer movement in their areas and providing assistance, including financial assistance, to organisations and associations

formed for the welfare of the consumers.

(c) The composition of the Council is in the process of being finalised. The Council will then decide the modality of its operations including the establishment of branches.

Launching of Satellite

139 SHRI P RAJAGOPAL NAIDU:

DR. MURLI MANOHAR JOSHI:

Will the Minister of SPACE be pleased to state

(a) whether Government propose to launch a satellite in the near future;

(b) if so, the main feature thereof; and

(c) the time by which it is expected to be launched?

THE PRIME MINISTER (SHRI MORARJI DESAI): (a) and (c). It is proposed to launch two satellites in the near future viz., Satellite for Earth Observation which will be launched sometime in 1978 and the Rohini Satellite which will be launched in 1979.

(b) The Satellite for Earth Observation is essentially a modification of Aryabhata, having more complex payload, data handling and control system. This satellite will weigh slightly over 400 Kgs and will carry two television cameras and microwave radiometers payloads. This would enable photography and remote sensing of gross features, which will be applicable to forestry, study of bio masses, hydrological features, etc.

The Rohini Satellite, which will be launched with the use of Indian made satellite launch vehicle, will weigh approximately 40 Kgs. This satellite will essentially carry technological payloads to monitor the performance of the launch vehicle.

Election of Director in the Central Government Employees Consumer Cooperative Society Ltd., New Delhi

140. SHRI SHEO SAMPAT: Will the PRIME MINISTER be pleased to state:

(a) whether the bye-laws of the Central Government Employees Consumers Cooperative Society Ltd., New Delhi and the Delhi Cooperative Societies Rules, 1973 provide that an elected delegate cannot be elected as Director if his relation is already working as an employee of that Society;

(b) whether any delegate of the above Society has written to the Chairman, Board of Directors about certain directors in this regard, if so, when; and

(c) the action taken by the management on this complaint so far and the reasons for delay in taking action?

THE PRIME MINISTER (SHRI MORARJI DESAI): (a) The Delhi Cooperative Societies Rules, 1973 provide that no person shall be eligible for election as a Director if inter alia he is a near relative of a paid employee of the Society, and that if any question arises whether or not a member is a near relative of the said employee, it shall be referred to the Registrar whose decision thereon shall be final.

The bye laws of the Society are, however, silent in the matter.

(b) Yes, Sir; on the 4th September, 1976.

(c) The management referred the complaint to the competent authority viz., the Registrar of Cooperative Societies for a decision later that month. There has been no delay in taking action.

Cases referred to the Registrar of Cooperative Societies, Delhi by Consumer Cooperative Societies.

141. SHRI SHEO SAMPAT: Will the Minister of CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) the number and nature of cases referred to the Registrar of Cooperative Societies, Delhi by different Consumer Cooperative Societies functioning in Delhi during the year 1976 and particularly by the Central Government Employees Consumer Cooperative Society Ltd., New Delhi; and

(b) when such cases were received in the Registrar's office and when these cases were disposed of by that office and the decision communicated to the Society concerned?

THE MINISTER OF COMMERCE AND CIVIL SUPPLIES & COOPERATION (SHRI MOHAN DHARIA): (a) During 1976, about 550 references were made to the Registrar of Cooperative Societies Delhi by the consumer cooperative societies functioning in Delhi. The nature of references related to a number of aspects, such as, amendment of byelaws, information about change of addresses, requests for allotment of shops, allotment of confiscated goods, controlled cloth, fair-price shops requests for financial assistance, applications for import licences, election disputes, complaints of overdue elections, stock verification, writing off of bad debts, claims regarding payments, non-maintenance of records, audit, references to arbitration, and the like.

So far as the Central Government Employees Consumer Cooperative Store New Delhi is concerned, 21 references were received by the Registrar of Cooperative Societies, Delhi during the year 1976 on matters pertaining to general body meeting, declaration of dividends, claims of employees, approval for writing off bad debts, stock verification, request for godown accommodation, utilisation of reserve fund, amendment of bye-laws and other allied matters.

(b) Out of the 21 references received from the Central Government Employees Consumer Cooperative Society 14 cases have been disposed of by the Registrar of Cooperative Societies, Delhi and in 7 cases clarification has

been sought from the Society. A statement indicating the position is given in the statement laid on the Table of the House [Placed in Library See No. LT 109/77] A

Supply of Uranium by US for Tarapur Atomic Power Station

142 SHRI SHEO SAMPAT Will the Minister of ATOMIC ENERGY be pleased to state

(a) whether the question of shipment of uranium for the Tarapur Atomic Power Station by U S is still in a fluid state

(b) when the uranium is expected to be received and the effect of the delayed shipment and

(c) the reaction of Government thereto?

THE PRIME MINISTER (SHRI MORARJI DESAI) (a) Yes, Sir

(b) It is not certain when the enriched uranium will be received. However, if there is delay beyond May 1977, the operation of the Tarapur Atomic Power Station could be affected by mid 1978

(c) The Government have informed the U.S. authorities of the adverse effects such delay can have on the availability of power in the western region and have also emphatically conveyed that such delays are not in consonance with the contractual obligations of the Government to Government agreement on the supply of fuel to the Tarapur reactors.

Shortage of Staff in Nepal Unit of A. I. R.

143 SHRI K. B. CHETTRI Will the Minister of INFORMATION AND BROADCASTING be pleased to state

(a) whether smooth functioning of the Nepal unit in N.S.D. and E.S.D. in A.I.R. has been hampered because of the shortage of staff, and

(b) if so, steps Government propose to take to recruit more staff?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI) (a) No, Sir

(b) Does not arise

भाबुरा (मीता) और भारत रत्ना नियमों के अन्तर्गत गिरफ्तार किये गये सरकारी कर्मचारी

144. श्री मानेश्वर प्रसाद यादव :

श्री सुभाष भाबूरा :

श्री आरिफ बेग :

क्या गृह मंत्री यह बताने की इच्छा करेंगे कि :

(क) भाषाव स्थिति के दौरान 'भाबुरा' और भारत रत्ना नियमों के अन्तर्गत विद्यमान केन्द्रीय सरकारी कर्मचारियों को गिरफ्तार किया गया ;

(घ) क्या बहुत से कर्मचारियों को मात्र तक भी सेवा में वापस नहीं लिया गया है ;

(ग) यदि हाँ, तो इस सम्बन्ध में सरकार का क्या कदम उठाने का विचार है ; और

(घ) क्या उन्हें सेवा से निलम्बित करने और सेवा से निकालने की प्रवृत्ति का भी बोध दिया जायेगा ?

गृह मंत्री (चौधरी चरण सिंह) : (क) से (घ) : सूचना एकत्रित की जा रही है और यथा समय सदन के समा पटल पर रख दी जायेगी ।

उद्योगों का विकेन्द्रीकरण

145. श्री शानेश्वर प्रसाद यादव :
क्या उद्योग मन्त्री यह बताने की कृपा करेंगे कि :

(क) उद्योगों के विकेन्द्रीकरण की दिशा से सरकार क्या कार्यवाही करने जा रही है,

(ख) क्या प्राचीन क्षेत्रों में औद्योगीकरण की दिशा में सरकार अभी तक उदासीन रही है, और

(ग) यदि हा, तो इस दिशा में सरकार क्या कदम उठाना चाहती है ?

उद्योग मन्त्री (श्री बृज लाल वर्मा) :

(क) से (ग) : औद्योगिक क्षेत्र में विकास, सामाजिक न्याय और आत्म निर्भरता के उद्देश्यों की प्राप्ति सम्बन्धी सरकार की औद्योगिक नीति सफल, 1956 से विनियमित है। औद्योगिक नीति सफल, 1956 में इस बात पर बल दिया गया है कि सरकारी नीति का उद्देश्य यह सुनिश्चित करना होगा कि विकेन्द्रीकृत क्षेत्र स्वात्मवी बनने के लिए पर्याप्त क्षमता प्राप्त करें तथा इसका विकास बड़े उद्योगों के साथ समन्वित रूप में हो। अतः सरकार लघु उद्योग उत्पादकों की प्रति-योगी सामर्थ्य में सुधार करने सम्बन्धी अभ्युपायों पर ध्यान केन्द्रित करेगी। सन्तुलित क्षेत्रीय विकास करना भी सरकार की नीति है ताकि देश के विभिन्न भागों से उद्योग स्थापित किए जा सकें। राष्ट्रीय नियोजन का एक उद्देश्य यह सुनिश्चित करना भी है कि विजली, परिवहन आदि सम्बन्धी सुविधाएँ उन क्षेत्रों का भी स्थायी तौर पर उपलब्ध कराई जायें जो इस समय औद्योगिक दृष्टि से पिछड़े हुए हैं तथा जहाँ रोजगार के अवसर प्रदान करने की बहुत मज्द ज़रूरत है।

बचते स्थापना स्थान अन्य सभी दृष्टियों से अभ्युक्त हो। वर्तमान सरकार इस बात पर गम्भीरता पूर्वक विचार कर रही है कि उद्योगों के विकेन्द्रीकरण के लिए भ्रष्टाचार क्या अभ्युपाय किए जाने चाहिए।

सदियों पर किया गया व्यय

146 श्री राधवजी नया गृह मन्त्री यह बताने की कृपा करेंगे कि सरकार ने 1 1-76 से 31 12-76 तक की अवधि में केन्द्रीय सरकार के प्रत्येक मन्त्री के टेलीफोन, बिजली, निवास स्थान की मरम्मत एवं यात्राओं पर, पूषक-पूषक कितना व्यय किया ?

गृह मन्त्री (श्री परो धरण सिंह) सूचना एकत्रित की जा रही है और सदन के पटल पर रख दी जाएगी।

श्री सत्य यात्री द्वारा सरकारी विमानों में यात्रा

147 श्री राधवजी नया रक्षा मन्त्री यह बताने की कृपा करेंगे कि

(क) क्या भूतपूर्व प्रधान मन्त्री के पुत्र श्री सत्य यात्री ने 25 जून, 1975 के पश्चात् सरकारी विमानों द्वारा यात्रा की थी, और

(ख) यदि हा, तो उसने ऐसे विमानों से कितनी बार यात्रा की और सरकार ने इस पर कितना खर्च किया ?

रक्षा मन्त्री (श्री जगजीवन राम) (क) जी हाँ।

(ख) उसने वायु सेना के विमानों में 49 अवसरों पर सभा पटल पर रखे गये विवरण "क" और "ख" में दी गई उड़ान सुविधों के अनुसार यात्रा की। (ग्रन्थालय में रखा गया। देखिये मद्रास एनडी 110/77)

विवरण "ब" में जो उद्देश्यों दी गई हैं उनमें श्री संजय गांधी ने प्रघात मंत्री तथा उन अन्य केन्द्रीय मंत्रियों की पार्टी के सदस्य के रूप में यात्रा की जिनके नाम पत्रों पर उद्देश्यों का प्रवचन किया गया था। वर्तमान घाटेकों के अन्तर्गत प्रघात मंत्री और सम्बन्धित मंत्री भारतीय वायु सेना का प्रति निश्चित व्यक्ति (की पार्टी की) विमान उड़ान भरने के लिए प्राधिकृत हैं। वे अपने साथ किसी ऐसे व्यक्ति (व्यक्तियों) को ले जा सकते हैं जिन्हें मंत्री की यात्रा की सरकारी इन्टी के प्रयोजन के लिए विमान में ले जाना आवश्यक हो।

विवरण "घ" में जो उद्देश्यों दी गई हैं उनमें श्री संजय गांधी ने भारतीय वायु सेना के विमान में उन राशियों के भुगतान मंत्रियों के साथ यात्रा की है जिनके लिए भुगतान करने पर उद्देश्यों की व्यवस्था की गई थी। भारतीय वायु सेना के विमानों में श्री संजय गांधी की यात्रा के लिए केन्द्र सरकार द्वारा समय से धन नहीं दिया गया क्योंकि उसने प्रति निश्चित व्यक्ति, परम निश्चित व्यक्ति या द्वारा प्राधिकृत मान-भरोसे प्रेषण राज्य सरकारों द्वारा भुगतान करने पर अवलम्ब, विमान में यात्रा की थी।

Alleged Irregularities in Maruti Car Factory

148 SHRI HARI VISHNU KAMATH Will the Minister of INDUSTRY be pleased to state—

(a) whether it is a fact that several irregularities have been alleged to have been committed by various individuals and authorities during the construction of the Maruti Car Factory on the outskirts of New Delhi,

(b) if so, whether a public, independent inquiry will be instituted in connection therewith,

(c) whether the factory has gone into production, and

(d) if so, the details of production to-date?

THE MINISTER OF INDUSTRY (SHRI BRIJLAL VERMA) (a) and (b) The Ministry of Industry is not aware of any irregularities alleged to have been committed during the construction of the Maruti Car Factory. However based on the details of the factory building duly certified by a Chartered Accountant, release of 5555 tonnes of construction steel in a phased manner was recommended to the appropriate authority.

(c) Yes, Sir

(d) According to the information furnished by M/s Maruti Limited in May 1976, the manufacture of cars had commenced at the rate of about 15/20 cars per month with effect from 7th July, 1975.

Time Capsule

149 SHRI HARI VISHNU KAMATH Will the PRIME MINISTER be pleased to state—

(a) whether Government propose to unearth the Time Capsule embedded in the earth in Delhi a couple of years ago, and

(b) if so when?

THE PRIME MINISTER (SHRI MORARJI DESAI) (a) and (b) The Government shall take the earliest opportunity to examine the entire matter in detail and then finalise the course of action.

Investigation in an Alleged Assault on Shri Sanjay Gandhi

150 SHRI HARI VISHNU KAMATH Will the Minister of INFORMATION AND BROADCASTING be pleased to state—

(a) whether it is a fact that on the morning of March 14, 1977 the All India Radio broadcast a news item regarding an alleged assault on Shri Sanjay Gandhi reported to have taken place the previous night, and

(b) whether an investigation has been made into the alleged incident if so with what result?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI) (a) A news item regarding the alleged assault on Shri Sanjay Gandhi was broadcast by Akashvani on the morning of March 15 1977 (and not March 14 1977)

(b) Case No 39 under section 307 of the Indian Penal Code has been registered on 15 3 1977 at 12 45 A.M. at Police Station Amethi Investigation of this case is under progress

Introduction of a Bill for appointment of Lokpal and Lokayuktas

151 **SHRI HARI VISHNU KAMATH** Will the **PRIME MINISTER** be pleased to state

(a) whether Government propose to introduce a Bill for appointment of Lokpal and Lokayuktas in accordance with the recommendations of the Administrative Reforms Commission, vide its report of 1966 and

(b) if so when?

THE PRIME MINISTER (SHRI MORARJI DESAI) (a) and (b) The Government have already initiated action to examine the matter with a view to introducing as soon as possible the necessary legislation having regard to the recommendations of the or setting up the institutions of Lokpal and Lokayuktas at the Centre

2.05 hrs.

QUESTION OF PRIVILEGE

ALLEGED ANNOUNCEMENT OF A POLICY LATTER BY THE MINISTER OF HEALTH AND FAMILY PLANNING OUTSIDE THE HOUSE RE. COMPENSATION TO VICTIMS OF STERILISATION

श्री केशवराव घोंडग (नांदेड) सदर साहब, मैं रूस 222 के तहत यहाँ पर प्रिवि

लेज मोशन पेश कर रहा हूँ। इस सभा का अधिवेशन जारी रहते हुए गवर्नमेन्ट की कोई भी पालिसी चाहे वह इकोनोमिक हो, या कमिटी प्लानिंग के सम्बन्ध में हो, वह पहले हाउस के सामने आनी चाहिए। सदर साहब, बड भण्डारी की बात है कि स्वास्थ्य मंत्री, सम्माननीय राज नारायण साहब ने वानपुर में 3 अप्रैल को एक वक्तव्य दिया जिसमें उन्होंने कहा कि स्टैरेलाइजेशन के बारे में, कमिटी प्लानिंग के बारे में जिन पर ज्यादािया हुई हैं उनमें से हर भादमी न पाच हजार रुपये देने के बारे में उन्होंने स्टेट गवर्नमेंट को लिखा है। इस तरह क उन्होंने कई घोषणाएँ की हैं। इसलिए मेरी गुजारिश है कि यह इस सभा का खुल्लमखुल्ला भ्रमण है कि इस सदन का अधिवेशन चलते हुए उन्होंने इस तरह की घोषणा नहीं की। हम तो बाहर और यहाँ जम्हूरियत की बात करते हैं। लोकशाही की बात करते हैं। यह बाढी साबरन है, इस साबरन बाढी में पहले वक्तव्य न देना और बाहर दे देना यह ठीक नहीं है। मेरे ख्याल में यह सभा का भ्रमण है। इस तरह का रवैया ठीक नहीं है। पहले उन्हें यहाँ वक्तव्य देना चाहिए था। (व्यवधान) मैं उनसे भर्ज करूँगा कि इसके सम्बन्ध में सभा की सूचना दें। और सदर साहब भाप इस बारे में इन्सार्फ दें ऐसा मैं आपको और सभागृह को गुजारिश करता हूँ।

स्वास्थ्य और परिवार नियोजन मंत्री (श्री राज नारायण) अध्यक्ष महोदय, मेरे विरुद्ध विशेषाधिकार की भंगहेतुता का प्रस्ताव पेश किया गया है। मुझे खुशी है कि माननीय सदस्य ने मेरे विरुद्ध विशेषाधिकार भंगहेतुता का प्रस्ताव रखा है। ऐसे प्रस्तावों का मैं बहुत सम्मान करता हूँ। जब जब मेरे सदीय जीवन में मेरे विरुद्ध विशेषाधिकार भंगहेतुता के प्रश्न रखे गये तब तब मैं उनका स्वागत किया है। आज भी मैं इसका स्वागत करता हूँ।

[श्री राज नारायण]

यह विशेषाधिकार प्रवहेनता का प्रस्ताव क्या है, मैं उसको पढ़ देता हूँ उन्होंने चापद न पड़ा हो। "3-4-77 को कानपुर में केन्द्रीय स्वाम्म्य मंत्री श्री राजनारायण ने पत्र-प्रतिनिधियों का एक मुलाकात में बताया कि जिन सामाजिक के साथ कुटुम्ब नियोजन के प्रत्यक्ष सन्धियों की गई हैं उनको न्याय दे देने के लिए प्रत्येक को पांच हजार रुपये का सहायता देने का आदेश केन्द्रीय सरकार ने राज्य सरकारों को दिया है। ऐसी घोषणा उन्होंने की। इतना ही नहीं, जिन पर जबरदस्ती कुटुम्ब नियोजन का आदेशन किया है उन पर दुबारा मुक्त आदेशन कर, उनको नस जुड़वाई जाए, ऐसा भी उन्होंने घोषित किया।"

श्रीमान्, अब तब जो नीति रही है, वह मैं इस सदन के सम्मानित सदस्यों की जानकारी के लिए पढ़ देना चाहता हूँ। जो मैं पढ़ रहा हूँ इसमें ऊपर बहुत ज्यादा है कि जिन हालत में भी न्याय दिया जाए, जिसमें सत्तर करपा दिया जाए, यानी यह सहेकर उस मन्त्रिमंडल के समय का है जिसमें हमारे पास जो मंत्री थे, उसमें लिखा है कि "यदि नमस्वदी आदेशन, लूप निर्वहन करवाने वाले व्यक्ति को आदेशन या निर्वहन के दस दिनों के भीतर मौत हो जाती है तो इस निधि में से पांच हजार रुपये की रकम उसने जीवित पति-पत्नी को प्रत्यक्ष यदि उसका पति या पत्नी जीवित न हो तो उसको जाति-विरासदी की दे दी जाए, मने हो मौत का कारण कुछ भी हो। जिन मामलों में नमस्वदी आदेशन, लूप निर्वहन का आरोप स चार सप्ताह के बीच कोई जटिलता उत्पन्न हो जाए और तत्पश्चात् उस व्यक्ति की मृत्यु हो जाए तो भी यह मयापित हो जाने पर कि मृत्यु नमस्वदी आदेशन या लूप निर्वहन के परिणामस्वरूप हुई है, पांच हजार रुपये की रकम अनुग्रहपूर्वक अनुदान के रूप में दे दी जाए। यह जो हमने कहा है यह पहले की पालिसी है—(व्यवधान) अनावश्यक दस से बीस से बीसने से कोई मजा नहीं मिलेगा।

मैं उसने पकड़ता भी नहीं। लेकिन जरा धीरे धीरे मैं जाना चाहता हूँ। यह प्रश्न तो साफ हो गया और मैं समझता हूँ कि माननीय सदस्य सभा गए होंगे कि यह चीज कार्यान्वित हो रही है। हमें खुशी है कि उत्तर प्रदेश के जो स्वास्थ्य मंत्री हैं वह हम को दस रुपये मिलने के लिए आए थे और उन्होंने कहा कि हम इनको कार्यान्वित कर रहे हैं। अगर वहाँ गड़बड़ी घायको मान्य हो तो हमें निश्चित रूप से बनाई जाए और हम उसको सामू करेंगे। हम समझते हैं कि हरिद्वार की सरकार से भी यही धाया है कि भी इनको कार्यान्वित करने और उसमें तनिश भी मौन में न हो निश्चयन। सारी राज्य सरकारें हमारा जो सन्देशन गया है इस सम्बन्ध में उसने मुताबिक इनको कार्यान्वित करने के लिए तैयार हैं। जिसका बँत है वह तो करता है कि गरिपाय है और पड़ोसी यह कहे कि चलता है तो मैं इसको समझ नहीं सकता हूँ। मैं धाने जा सकता था। मैं कह देना चाहता हूँ कि यह प्रश्न सन्देशन है लेकिन हमारी रजिस्ट्रार में अभी इस पर पूरी तरह से विचार नहीं हुआ है। नमस्वदी करने समय जिनकी मृत्यु हो गई थी उनको सरकार मुआवजा देनाए, इस सम्बन्ध में पुनितको फाइल... (व्यवधान) धाव हस्ता मत करें। मैं धाने जाना चाहता हूँ.....

श्री कोशवराय धोंडरे, क्या मुझ बोलने का हक नहीं है। मंत्री महोदय ने मरने वालों के बजाय जिन्दा के बारे में भी कहा है। मंत्री महोदय ने कहा है हस्ता मत करिये। इसका मतलब क्या है?

श्री राज नारायण हस्ता मत के माने नहीं समझते हैं तो क्या मुझे माने बताने पड़ेंगे? अगर हस्ता मत से इनको तकनीक है तो मैं वापिस लेता हूँ। मेरा कहने का अभिप्राय यह है कि शोर मचाने, सदन की दिवसी और डकैरी, मर्यादा और सुवर्च कायम रहे।

पुनः ही सरकार ने कहा है जहाज के एक्सीडेंट से जो मरते हैं उनको एक लाख रुपये

देने का पैगला दिया था और दती थी। क्या भाव जीवन का मूल्य तो गरीबों का है उसको दिया जाता है? गरीब मरता है, हरिजन का बच्चा मरता है पिछड़ों हुई जाति का घादमी मरता है पुलिस की दासी में क्या उसका मुआयजा न दिया जाए? इसलिए हमारे कमिन्ट इस पर विचार करेंगे। लेकिन यह प्रश्न हम समय यहाँ नहीं। हम जो समझना चाहें हैं उनको तुरफ़ ध्यान देना होगा। यह बनना पार्टी की सरकार है बुद्धिमान सरकार नहीं है।

MR SPEAKER There is no private question involved.

12.15 hrs

PAPERS LAID ON THE TABLE

ANNUAL ACCOUNTS STATEMENTS, REVIEWS AND ANNUAL REPORTS, NOTIFICATIONS ETC

THE PRIME MINISTER (SHRI NORARJI DESAI) I beg to lay on the Table

(1) A copy each of the following papers (Hindi and English versions) under sub-section (2) of section 103 of the Major Port Trusts Act, 1963

(i) Annual Accounts of the Cochin Port Trust for the year 1973-74 and the Audit Report thereon

(ii) Annual Accounts of the Cochin Port Trust for the year 1974-75 and the Audit Report thereon

(iii) Annual Accounts of the Cochin Port Trust for the year 1975-76 and the Audit Report thereon

(iv) Annual Accounts of the Paradip Port Trust for the year 1974-75 and the Audit Report thereon

(v) Annual Accounts of the Paradip Port Trust for the year 1975-76 and the Audit Report thereon

(vi) Annual Accounts of the Calcutta Port Trust for the year 1974-75 and the Audit Report thereon

(vii) Annual Accounts of the Calcutta Port Trust for the year 1975-76 and the Audit Report thereon

(viii) Annual Accounts of the Bombay Port Trust for the year 1975-76 and the Audit Report thereon

(ix) Annual Accounts of the Madras Port Trust for the year 1975-76 and the Audit Report thereon

(x) Annual Accounts of the Kandla Port Trust for the year 1975-76 and the Audit Report thereon

(xi) Annual Accounts of the Visakhapatnam Port Trust for the year 1975-76 and the Audit Report thereon

(xii) Annual Accounts of the Mormugao Port Trust for the year 1975-76 and the Audit Report thereon

(2) Four statements (Hindi and English versions) showing reasons for delay in laying the papers mentioned at item Nos (i), (ii), (iv) and (vi) above [Placed in Library See No LT-112/77]

(3) A copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956 —

(a) (i) Review by the Government on the working of the Central Inland Water Transport Corporation Limited Calcutta for the year 1975-76

(ii) Annual Report of the Central Inland Water Transport Cor-

poration Limited Calcutta for the year 1975-76 along with the Audit Accounts and the comments of the Comptroller and Auditor General thereon [Placed in Library See No LT-113/77]

(b) (i) Review by the Government on the working of the Electronics Corporation of India Limited Hyderabad for the year 1975-76

(ii) Annual Report of the Electronics Corporation of India Limited, Hyderabad for the year 1975-76 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon [Placed in Library See

No LT-113/77]

(c) (i) Review by the Government on the working of the Indian Rare Earths Limited, Bombay for the year 1975-76

(ii) Annual Report of the Indian Rare Earths Limited, Bombay, for the year 1975-76 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon.

[Placed in Library See No LT-113/77]

(d) (i) Review by the Government on the working of the Uranium Corporation of India Limited, Jaduguda for the year 1975-76

(ii) Annual Report of the Uranium Corporation of India Limited, Jaduguda, for the year 1975-76 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon [Placed in Library See No LT-113/77]

(4) A copy each of the following Notifications (Hindi and English versions) under sub-section (2) of

section 25 of the Tamil Nadu Motor Vehicles Taxation Act 1974 read with clause (c) (iv) of the Proclamation dated the 31st January, 1976 is used by the President in relation to the State of Tamil Nadu.

(i) G O Ms No 2341 published in Tamil Nadu Government Gazette dated the 13th October, 1976.

(ii) G O Ms No 2479 published in Tamil Nadu Government Gazette dated the 13th October, 1976.

(iii) G O R No. 4074 published in Tamil Nadu Government Gazette dated the 20th October, 1976

(iv) G O Ms 2529 published in Tamil Nadu Government Gazette dated the 27th October, 1976

(v) G O Ms. No 2722 published in Tamil Nadu Government Gazette dated the 24th November, 1976

(vi) G O Ms No 2732 published in Tamil Nadu Government Gazette dated the 24th November 1976

(vii) G O Ms No 2885 published in Tamil Nadu Government Gazette dated the 8th December 1976

(viii) G O Ms. No 3332 published in Tamil Nadu Government Gazette dated the 30th December 1976

(ix) G O Ms No 14 published in Tamil Nadu Government Gazette dated the 12th January 1977

(5) A statement (Hindi and English versions) showing reasons for delay in laying the Notifications mentioned at (4) above [Placed in Library See No LT-114/77]

(6) A copy each of the following Notifications (Hindi and English versions) under sub-section (2) of

section 3 of the All India Services Act 1951

(i) The Indian Administrative Service (Appointment by Promotion) Sixth Amendment Regulations 1976, published in Notification No GSR 853(E) in Gazette of India dated the 27th October, 1976

(ii) The Indian Police Service (Fixation of Cadre Strength) Fifteenth Amendment Regulations, 1976 published in Notification No GSR. 856(E) in Gazette of India dated the 30th October, 1976

(iii) The Indian Police Service (Pay) Sixteenth Amendment Rules 1976, published in Notification No GSR 857(E) in Gazette of India dated the 30th October 1976

(iv) The Indian Administrative Service (Pay) Twenty-second Amendment Rules 1976, published in Notification No GSR 859 (E) in Gazette of India dated the 1st November, 1976

(v) The Indian Police Service (Pay) Fourteenth Amendment Rules, 1976, published in Notification No GSR. 1081 in Gazette of India dated the 13th November, 1976

(vi) The Indian Police Service (Appointment by Promotion) Third Amendment Regulations 1976 published in Notification No GSR 883(E) in Gazette of India dated the 18th November 1976

(vii) The Indian Police Service (Fixation of Cadre Strength) Sixteenth Amendment Regulations 1976 published in Notification No GSR. 894(E) in Gazette of India dated the 23rd November 1976

(viii) The Indian Police Service (Pay) Seventeenth Amendment Rules 1976 published in Notification No GSR. 895(F) in Gazette of India dated the 23rd November 1976

(ix) The Indian Police Service (Recruitment) Third Amendment Rules 1976, published in Notification No GSR 1678 in Gazette of India dated the 4th December, 1976

(x) The Indian Police Service (Fixation of Cadre Strength) Seventeenth Amendment Regulations 1976 published in Notification No GSR 923(E) in Gazette of India dated the 17th December, 1976

(xi) The Indian Police Service (Pay) Eighteenth Amendment Rules 1976 published in Notification No GSR 929(F) in Gazette of India dated the 17th December 1976

(xii) The Indian Administrative Service (Fixation of Cadre Strength) Twentyfifth Amendment Regulations 1976 published in Notification No GSR 946(E) in Gazette of India dated the 24th December 1976

(xiii) The Indian Administrative Service (Pay) Twenty fourth Amendment Rules 1976 published in Notification No GSR. 947(E) in Gazette of India dated the 24th December 1976

(xiv) GSR 1765 published in Gazette of India dated the 25th December 1976 containing corrigenda to Notification No GSR. 504 published in Gazette of India dated the 10th April 1976

(xv) The All India Service (Conduct) Second Amendment Rules 1976, published in Notification No GSR 1766 in Gazette of India dated the 2 th December, 1976

English versions) under section 185 of the Navy Act 1957 —

(1) The Navy (Pension) First Amendment Regulations 1977 published in Notification No SRO 52 in Gazette of India dated the 19th February 1977

(2) The Navy (Pension) Second Amendment Regulations 1977 published in Notification No SFC 75 in Gazette of India dated the 12th March, 1977 [Placed in Library See No LT-119/77]

President's Acts under Tamil Nadu state Legislature (Delegation of powers) Act, 1976 Notifications under Essential commodities Act 1955 and under Rice milling industry (Regulation) Act 1958 etc

SHRI RAVINDRA VARMA On behalf of Shri Prakash Singh Badai I beg to lay on the Table —

(1) A copy each of the following President's Acts (Hindi and English versions) under sub-section (3) of section 3 of the Tamil Nadu State Legislature (Delegation of Powers) Act, 1976 —

(i) The Tamil Nadu Debt Relief Laws (Amendment) Act 1976 (President's Act No. 45 of 1976) published in Gazette of India dated the 29th December 1976

(ii) The Tamil Nadu Debt Relief Laws (Amendment) Act, 1977 (President's Act No 3 of 1977) published in Gazette of India dated the 12th January, 1977 [Placed in Library See No LT-120/77]

(2) A copy each of the following Notifications (Hindi and English versions) under sub-section (6) of section 3 of the Essential Commodities Act 1955 —

(i) The Fertiliser (Control) Eighth Amendment Order 1976 published in Notification No GSR 854(E) in Gazette of India dated the 27th October 1976

(ii) The Fertiliser (Movement Control) Fourth Amendment Order, 1976 published in Notification No SO 696(E) in Gazette of India dated the 28th October, 1976

(iii) GSR 863(E) published in Gazette of India dated the 2nd November, 1976

(iv) GSR 830(E) published in Gazette of India dated the 15th November 1976

(v) The Gujarat and Dadra and Nagar Haveli (Export) and Paddy (Movement Control) Second Amendment Order 1976 published in Notification No GSR 1975 in Gazette of India dated the 27th November 1976

(vi) The Rajasthan Paddy (Regulation of Movement) Order 1976, published in Notification No GSR 1705 in Gazette of India dated the 4th December 1976

(vii) GSR 917(E) published in Gazette of India dated the 13th December 1976 /

(viii) The Fertiliser (Movement Control) Amendment Order 1977 published in Notification No GSR 19(E) in Gazette of India dated the 15th January 1977

(ix) GSR 65(E) published in Gazette of India dated the 8th February, 1977 [Placed in Library See No LT-121/77]

(3) A copy each the following Notifications (Hindi and English versions) under sub-section (4) of section 22 of the Rice Milling Industry (Regulation) Act 1958 —

(i) The Rice Milling Industry (Regulation and Licensing) Amendment Rules 1976 published in Notification No GSR 499(E) in Gazette of India dated the 29th July, 1976

(ii) The Rice Milling Industry (Regulation and Licensing) Amendment Rules, 1977 published in Notification No GSR 234 in

Gazette of India dated the 26th February, 1977 [Placed in Library See No LT-122/77]

(4) A copy of the Central Warehousing Corporation (Amendment) Rules, 1977 (Hindi and English versions) published in Notification No G.S.R. 338 in Gazette of India dated the 12th March 1977, under sub-section (3) of section 41 of the Warehousing Corporations Act, 1962 [Placed in Library See No LT-123/77]

(5) A copy of the Annual Report and Certified Accounts (Hindi and English versions) of the Tamil Nadu Warehousing Corporation, Madras for the year 1973-74 under sub-section (11) of section 31 of the Warehousing Corporation Act 1962 read with clause (c) (iv) of the Proclamation dated the 31st January, 1976 issued by the President in relation to the State of Tamil Nadu

(6) A statement (Hindi and English versions) showing reasons for delay in laying the above Accounts [Placed in Library See No LT-124/77]

(7) A copy of Notification No G.O. Ms. 341 (Hindi and English versions) published in Tamil Nadu Government Gazette dated the 7th January 1976 under sub-section (4) of section 27 of the Tamil Nadu Warehouses Act, 1951 read with clause (c) (iv) of the Proclamation dated the 31st January, 1976 issued by the President in relation to the State of Tamil Nadu [Placed in Library See No LT-125/77]

RAILWAYS RED TARIFF (AMDT) RULES 1977

THE MINISTER OF RAILWAYS (PROF. MADHU DANDAVATE) I beg to lay on the Table a copy of the Railways Red Tariff (Amendment) Rules 1977 (Hindi and English versions) published in Notification No G.S.R. 405 in Gazette of India dated the 19th March 1977 issued under section 47 of the Indian Railways Act,

1890 [Placed in Library See No LT-126/77]

NOTIFICATIONS UNDER EXPORT (QUALITY CONTROL AND INSPECTION) ACT, 1963 ANNUAL REPORTS AND AUDITED ACCOUNTS ETC

THE MINISTER OF COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION (SHRI MOHAN DHARIA) I beg to lay on the Table

(1) A copy each of the following Notifications (Hindi and English versions) under sub-section (3) of section 17 of the Export (Quality Control and Inspection) Act 1963 —

(i) The Export of Jute Products (Quality Control and Inspection) Amendment Rules 1976 published in Notification No S.O. 4462 in Gazette of India dated the 20th November 1976

(ii) The Export of Dried Fish (Inspection) Amendment Rules 1976 published in Notification No S.O. 4494 in Gazette of India dated the 27th November 1976

(iii) The Export of Steel Tubes and Tubulars (Quality Control and Inspection) Amendment Rules, 1977 published in Notification No S.O. 60 in Gazette of India dated the 1st January, 1977

(iv) The Export of Pipe Fittings (Inspection) Rules 1977 published in Notification No S.O. 62 in Gazette of India dated the 1st January, 1977

(v) The Export of Cashew Kernels (Quality Control and Inspection) Amendment Rules 1976 published in Notification No S.O. 410 in Gazette of India dated the 29th January 1977

(vi) The Export of Canned Crab Meat (Inspection) Rules,

1977 published in Notification No SO 456 in Gazette of India dated the 5th February 1977

(vii) The Export of Carpet (Quality Control and Inspection) Amendment Rules 1977 published in Notification No SO 825 in Gazette of India dated the 19th March, 1977 [Placed in Library See No LT-127/77]

(2) (i) A copy of the Indian Standards Institution (Certification Marks) Regulations, 1955 (Hindi and English versions) under section 22 of the Indian Standards Institution (Certification Marks) Act, 1952.

(ii) A statement explaining the reasons for laying the papers at item (i) above [Placed in Library See No LT-128/77]

(3) A copy of the Annual Report (Hindi and English versions) of the Indian Standards Institution, New Delhi for the year 1975-76 [Placed in Library See No LT-129/77]

(4) A copy of the Central Silk Board Contributory Provident Fund (Amendment) Rules 1976 (Hindi and English versions) published in Notification No GSR 1529 in Gazette of India dated the 30th October, 1976 under sub-section (3) of section 13 of the Central Silk Board Act, 1948 [Placed in Library See No LT-130/77]

(5) A copy of the Audited Accounts (Hindi and English versions) of the Central Silk Board for the year 1974-75 under sub-section (4) of section 12 of the Central Silk Board Act, 1948 [Placed in Library See No LT-131/77]

(6) A copy of the Audit Report (Hindi and English versions) on the Accounts of the Rubber Board for the year 1974-75 along with the statement of Accounts [Placed in Library See No LT-123/77]

(7) A copy of the Annual Report (Hindi and English versions) National Cooperative Development Cor-

poration, New Delhi, for the year 1975-76 under sub-section (1) of section 14 of the National Cooperative Development Corporation Act, 1962 [Placed in Library See No LT-133/77]

ANNUAL REPORTS, NOTIFICATIONS ETC

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H M PATEL) 1 beg to lay on the Table —

(1) A copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956 —

(i) Annual Report of the National Insurance Company Limited, Calcutta, for the year 1974 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon [Placed in Library See No LT-134/77]

(ii) Annual Report of the Oriental Fire and General Insurance Company Limited, New Delhi, for the year 1974 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon [Placed in Library See No LT-135/77]

(iii) Annual Report of the New India Assurance Company Limited, Bombay, for the year 1975 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon [Placed in Library See No LT-136/77]

(iv) Annual Report of the General Insurance Corporation of India, Bombay, for the year 1975 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon [Placed in Library See No LT-137/77]

(2) A copy of Notification No GO Ms 1917 (Hindi and English versions) published in Tamil Nadu Government Gazette dated

the 26th January, 1977 issued under sub-section (1) of section 2 of the Tamil Nadu Chit Funds Act, 1961 read with clause (c) (iv) of the Proclamation dated the 31st January, 1976 issued by the President in relation to the State of Tamil Nadu [Placed in Library See No LT-138/77]

(3) A copy of the Tamil Nadu General Sales Tax (Amendment) Act, 1976 (President's Act, No 40 of 1976) (Hindi and English versions) published in Gazette of India dated the 9th November, 1976, under sub-section (3) of section 3 of the Tamil Nadu State Legislature (Delegation of Powers) Act, 1976. [Placed in Library See No LT-139/77]

(4) A copy of the Customs Tariff (Determination of Origin of Goods under the Bangkok Agreement) Rules, 1976 (Hindi and English versions) published in Notification No GSR 863(E) in Gazette of India dated the 1st November, 1976, under section 10 of the Customs Tariff Act, 1975 [Placed in Library See No LT-140/77]

(5) A copy of Notification No GSR 1790, (Hindi and English versions) published in Gazette of India dated the 25th December, 1976 making certain amendment to Notification No GSR 952 dated the 21st June, 1976 under section 51 of the Finance (No 2) Act, 1971 [Placed in Library See No LT-141/77]

(6) A copy each of the following Notifications (Hindi and English versions) under section 296 of the Income-tax Act, 1961 —

(i) SO 4060 published in Gazette of India dated the 6th November, 1976

(ii) SO 4061, published in Gazette of India, dated the 6th November, 1976

(iii) SO 4062, published in Gazette of India, dated the 6th November, 1976

(iv) SO. 4063, published in Gazette of India dated the 6th November, 1976

(v) SO 4064, published in Gazette of India, dated the 6th November, 1976

(vi) SO 4065, published in Gazette of India, dated the 6th November, 1976

(vii) The Income-tax (Seventh Amendment) Rules, 1976 published in Notification No SO 842(E), in Gazette of India dated the 30th December, 1976 [Placed in Library See No LT-142/77]

(viii) The Income-tax (Second Amendment) Rules 1977 published in Notification No 21(E) in Gazette of India dated the 18th January 1977

(ix) SO 578 published in Gazette of India dated the 19th February, 1977

(x) SO 579 published in Gazette of India dated the 19th February, 1977.

(xi) SO 583, published in Gazette of India dated the 19th February, 1977

(xii) SO 584 published in Gazette of India, dated the 19th February, 1977.

(xiii) SO 585 published in Gazette of India, dated the 19th February, 1977

(xiv) SO 587 published in Gazette of India dated the 19th February, 1977

(xv) The Income-tax (Third Amendment) Rules, 1977, published in Notification No SO 210(E), in Gazette of India dated the 5th March, 1977 [Placed in Library See No LT-143/77]

(7) A copy each of the following Notifications (Hindi and English versions) under sub-section (4) of section 46 of the Wealth-Tax Act, 1957 —

(i) The Wealth-tax (Third Amendment) Rules, 1976, published in Notification No SO 702(E), in Gazette of India dated the 3rd November 1976

(ii) The Wealth-tax (Fourth Amendment) Rules 1976 published in Notification No SO 732(E) in Gazette of India dated the 15th November, 1976

(iii) The Wealth-tax (Amendment) Rules 1977 published in Notification No S.O. 16(E) in Gazette of India dated the 12th January, 1977

(iv) The Wealth-tax (Second Amendment) Rules, 1977 published in Notification No SO 163 (E) in Gazette of India dated the 15th February, 1977 [Placed in Library See No. LT-144/77]

(8) A copy of the Interest-tax (Amendment) Rules 1976 (Hindi and English versions) published in Notification No SO 843(E), in Gazette of India dated the 30th December, 1976 under sub-section (4) of section 27 of the Interest-tax Act, 1974 [Placed in Library See No LT-145/77]

(9) A copy of the Gift-tax (Second Amendment) Rules, 1976 (Hindi and English versions) published in Notification No SO 722 (E), in Gazette of India dated the 12th November, 1976 under sub-section (4) of section 46 of the Gift-tax Act, 1958 [Placed in Library See No LT-146/77]

(10) A copy of the Companies (Profits) Surtax (Amendment) Rules, 1977 (Hindi and English versions) published in Notification No SO 167(E) in Gazette of India

dated the 15th February, 1977, under sub-section (3) of section 25 of the Companies (Profits) Surtax Act, 1964 [Placed in Library See No LT-147/77]

(11) A copy each of the following Notifications (Hindi and English versions) under section 72 of the Delhi Sales Tax Act, 1975 —

(i) The Delhi Sales-Tax (Ninth Amendment) Rules, 1976 published in Notification No F 4(2)/76-Fin (G), in Delhi Gazette dated the 30th December, 1976

(ii) The Delhi Sales Tax (First Amendment) Rules, 1977 published in Notification No F 4(62)/76-Fin (G) (iii) in Delhi Gazette dated the 25th January, 1977

(iii) The Delhi Sales Tax (Second Amendment) Rules, 1977 published in Notification No F 4 (78)/75-Fin (G) in Delhi Gazette dated the 25th February 1977 [Placed in Library See No LT-143/77]

(12) A copy of the Central Sales Tax (Registration and Turnover) (Amendment) Rules, 1976 (Hindi and English versions) published in Notification No GSR. 962(E), in Gazette of India dated the 30th December, 1976, under sub-section (2) of section 13 of the Central Sales Tax Act, 1956 [Placed in Library See No. LT- 149/77]

(13) A copy each of the following Notifications (Hindi and English versions) under section 33 of the Central Excises and Salt Act, 1944 —

(i) The Central Excise (Twenty-fifth Amendment) Rules, 1976 published in Notification No GSR 1608 in Gazette of India dated the 13th November 1976

(ii) The Central Excise (Twenty-sixth Amendment) Rules, 1976,

published in Notification No GSR 920(E) in Gazette of India dated the 15th December, 1976

(iii) The Central Excise (Twenty-seventh Amendment) Rules, 1976, published in Notification No GSR 1792, in Gazette of India dated the 25th December, 1976

(iv) The Central Excise (First Amendment) Rules, 1977, published in Notification No GSR 96 in Gazette of India dated the 15th January 1977

(v) The Central Excise (Second Amendment) Rules, 1977, published in Notification No GSR 152 in Gazette of India dated the 29th January, 1977

(vi) The Central Excise (Fourth Amendment) Rules, 1977, published in Notification No GSR 408, in Gazette of India dated the 19th March, 1977

(vii) The Central Excise (Sixth Amendment) Rules, 1977, published in Notification No GSR 128 (E) Gazette of India dated the 25th March, 1977 [Placed in Library See No LT-150/77]

(14) A copy each of the following Notification (Hindi and English versions) issued under the Central Excise Rules, 1944 —

(i) GSR 1547, published in Gazette of India, dated the 30th October, 1976, together with an explanatory memorandum

(ii) GSR 872(E), published in Gazette of India dated the 10th November, 1976, together with an explanatory memorandum

(iii) GSR 878(E) and 879(E), published in Gazette of India dated the 13th November, 1976 together with an explanatory memorandum

(iv) GSR 1607, published in Gazette of India dated the 13th

November, 1976 together with an explanatory memorandum

(v) GSR 881(E) published in Gazette of India dated the 16th November, 1976 together with an explanatory memorandum

(vi) GSR 891(E) published in Gazette of India dated the 22nd November, 1976, together with an explanatory memorandum

(vii) GSR 905(E), published in Gazette of India dated the 1st December, 1976, together with an explanatory memorandum

(viii) GSR 1719, published in Gazette of India dated the 4th December, 1976 together with an explanatory memorandum

(ix) GSR 1762, published in Gazette of India dated the 18th December 1976, together with an explanatory memorandum

(x) GSR 966(E), published in Gazette of India dated the 31st December, 1976, together with an explanatory memorandum

(xi) GSR 42(E), published in Gazette of India dated the 27th January, 1977, together with an explanatory memorandum

(xii) GSR 871(E), published in Gazette of India dated the 9th November, 1976, GSR 862(E), published in Gazette of India, dated the 17th November 1976, GSR 910(E), published in Gazette of India dated the 8th December, 1976, GSR 921(E), published in Gazette of India dated the 15th December, 1976, GSR 1791, published in Gazette of India dated the 25th December, 1976 GSR 32(E), published in Gazette of India, dated the 24th January, 1977, GSR 43(E), published in Gazette of India, dated

the 28th January 1977 G.S.R. 51 (E) published in Gazette of India dated the 1st February 1977 and G.S.R. 70(F) published in Gazette of India dated the 8th February 1977 together with an explanatory memorandum

(xiii) G.S.R. 97 published in Gazette of India dated the 15th January 1977 together with an explanatory memorandum

(xiv) G.S.R. 123 published in Gazette of India dated the 22nd January 1977 together with an explanatory memorandum.

(xv) G.S.R. 68(E), published in Gazette of India, dated the 8th February, 1977 together with an explanatory memorandum.

(xvi) G.S.R. 90(E) and 91(E) published in Gazette of India dated the 26th February 1977 together with an explanatory memorandum.

(xvii) G.S.R. 281, 282 and 283 published in Gazette of India dated the 26th February 1977 together with an explanatory memorandum

(xviii) G.S.R. 102(E) published in Gazette of India dated the 1st March 1977 together with an explanatory memorandum

(xix) G.S.R. 109(E), published in Gazette of India dated the 11th March, 1977 together with an explanatory memorandum.

(xx) G.S.R. 127(E), published in Gazette of India dated the 25th March 1977 together with an explanatory memorandum

[Placed in Library See No LT-151/77]

(15) A copy each of the following Notifications (Hindi and English versions) under section 159 of the Customs Act, 1962 —

(i) G.S.R. 867(F) published in Gazette of India dated the 5th November, 1976 together with an explanatory memorandum

(ii) G.S.R. 876(E) published in Gazette of India dated the 12th November 1976 together with an explanatory memorandum

(iii) G.S.R. 893(E) published in Gazette of India dated the 22nd November, 1976 together with an explanatory memorandum

(iv) G.S.R. 896(E) published in Gazette of India dated the 23rd November, 1976, together with an explanatory memorandum.

(v) G.S.R. 897(E) published in Gazette of India dated the 24th November 1976 together with an explanatory memorandum

(vi) G.S.R. 902(E) published in Gazette of India dated the 27th November, 1976 together with an explanatory memorandum

(vii) G.S.R. 903(E) published in Gazette of India dated the 28th November 1976 together with an explanatory memorandum

(viii) G.S.R. 1720 published in Gazette of India dated the 4th December, 1976 together with an explanatory memorandum.

(ix) G.S.R. 909(E) published in Gazette of India dated the 8th December 1976 together with an explanatory memorandum.

(x) G.S.R. 1723 published in Gazette of India dated the 11th December 1976 together with an explanatory memorandum

(xi) G.S.R. 919(E) published in Gazette of India dated the 14th December 1976 together with an explanatory memorandum.

(xii) G.S.R. 926(E) published in Gazette of India dated the 16th December, 1976 together with an explanatory memorandum

(xiii) GSR 930(E) published in Gazette of India dated the 18th December 1976 together with an explanatory memorandum

(xiv) GSR 951 published in Gazette of India dated the 24th December 1976 together with an explanatory memorandum

(xv) GSR 1(E) published in Gazette of India dated the 1st January 1977 together with an explanatory memorandum.

(xvi) GSR 7(E) and 8(E) published in Gazette of India dated the 6th January 1976 together with an explanatory memorandum

(xvii) GSR 39 published in Gazette of India dated the 8th January 1977 together with an explanatory memorandum

(xviii) GSR 67 published in Gazette of India dated the 8th January 1977 together with an explanatory memorandum.

(xix) GSR 11(E) and 12(E) published in Gazette of India dated the 11th January 1977 together with an explanatory memorandum

(xx) GSR 20(E) and 21(E) published in Gazette of India dated the 15th January 1977 together with an explanatory memorandum

(xxi) GSR 26(E) 27(E) and 28(E) published in Gazette of India dated the 22nd January 1977 together with an explanatory memorandum

(xxii) GSR 29(E) published in Gazette of India dated the 22nd January 1977 together with an explanatory memorandum

(xxiii) GSR 30(E) and 31(E) published in Gazette of India dated the 24th January 1977 together with an explanatory memorandum

(xxiv) GSR 60(E) published in Gazette of India dated the 7th February 1977 together with an explanatory memorandum.

(xxv) GSR 61(E) published in Gazette of India dated the 7th February 1977 together with an explanatory memorandum

(xxvi) GSR 63(E) published in Gazette of India dated the 7th February 1977 together with an explanatory memorandum

(xxvii) GSR 67(E) and 68(E) published in Gazette of India dated the 8th February 1977 together with an explanatory memorandum

(xxviii) GSR 69(E) published in Gazette of India dated the 8th February 1977 together with an explanatory memorandum

(xxix) GSR 84(E) published in Gazette of India dated the 24th February 1977 together with an explanatory memorandum

(xxx) GSR 85(E) published in Gazette of India dated the 24th February 1977 together with an explanatory memorandum

(xxxi) GSR 106(E) published in Gazette of India dated the 7th March, 1977 together with an explanatory memorandum

(xxxii) GSR 107(F) and 108(E) published in Gazette of India dated the 9th March 1977 together with an explanatory memorandum

(xxxiii) GSR 111(E) published in Gazette of India dated the 11th March 1977 together with an explanatory memorandum

(xxxiv) GSR 112(E) published in Gazette of India dated the 11th March, 1977 together with an explanatory memorandum.

(xxxv) GSR 113(E) published in Gazette of India dated the 17th

(a) Annual Report of the Rural Electrification Corporation New Delhi for the year 1975-76 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon

(b) (i) Review by the Government of the working of the National Projects Construction Corporation Limited New Delhi for the year 1975-76

(ii) Annual Report of the National Projects Construction Corporation Limited, New Delhi for the year 1975-76 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon

[Placed in Library See No LT-155/77]

(2) (i) A copy of the Annual Report (Hindi and English versions) of the Damodar Valley Corporation along with the Audit Report on the accounts thereof for the year 1974-75 under sub-section (5) of section 45 of the Damodar Valley Corporation Act, 1943

(ii) A statement (Hindi and English versions) showing reasons for delay in laying the above report

[Placed in Library See No LT-156/77]

(3) A copy of the Budget Estimates (Hindi and English versions) of the Damodar Valley Corporation for the year 1977-78, under sub-section (3) of section 44 of the Damodar Valley Corporation Act 1943.

[Placed in Library See No LT-157/77]

(4) A copy of the Bhakra Management Board (Amendment) Rules 1976 (Hindi and English versions) published in Notification

No G.S.R 1709 in Gazette of India dated the 4th December 1976 under sub-section (3) of section 97 of the Punjab Reorganisation Act 1966
[Placed in Library See No LT-158/77]

ACCREDITED ACCOUNTS OF E.S.I.C. FOR 1972-73 1973-74 & 1974-75 REVISED AND BUDGET ESTIMATES OF E.S.I.C. FOR 1976-77 & 1977-78 RESPECTIVELY, A STATEMENT re DELAY IN LAYING PAPERS AND STATEMENTS re. ACTION TAKEN

SHRI RAVINDRA VARMA 1 b-5 to lay on the Table

(1) A copy each of the following papers (Hindi and English versions) under section 36 of the Employees State Insurance Act 1948 —

(i) Audited Accounts of the Employees' State Insurance Corporation for the year 1972-73 together with the Audit Report thereon

(ii) Audited Accounts of the Employees' State Insurance Corporation for the year 1973-74 together with the Audit Report thereon

(iii) Audited Accounts of the Employees' State Insurance Corporation for the year 1974-75 together with the Audit Report thereon

(iv) Revised Estimates for the year 1976-77 and Budget Estimates for the year 1977-78 of the Employees State Insurance Corporation.

(2) A statement showing reasons for delay in laying the papers mentioned at (i) to (iii) of item (1) above

[Placed in Library See No LT-159/77]

(3) The following statements showing the action taken by the Government on various assurances, promises and undertakings given

by the Ministers during the various sessions of Lok Sabha

Fourth Lok Sabha

(i) Statement No XLIII—
Tenth Session, 1970

(ii) Statement No XXXI—
Eleventh Session, 1970

(iii) Statement No XXXVIII—
Second Session, 1971

Fifth Lok Sabha

(iv) Statement No XXVI—
Third Session 1971

(v) Statement No XXXIII—
Fourth Session, 1972

(vi) Statement No XXIII—
Eight Session, 1973

(vii) Statement No XXI—
Ninth Session 1973

(viii) Statement No XIX—
Twelfth Session, 1974

(ix) Statement No XXIII—
Thirteenth Session 1975

(x) Statement No VII—
Fifteenth Session, 1975

(xi) Statement No VI—
Sixteenth Session 1976

(xii) Statement No III—
Seventeenth Session, 1976

[Placed in Library See No LT-160/77]

ANNUAL REPORT OF DEVELOPMENT COUNCIL FOR AUTOMOBILES AUTOMOBILE ANCILLARY INDUSTRIES ETC FOR 75-76 NOTIFICATIONS REVIEWS AND ANNUAL REPORTS

प्रयोग मन्त्री श्री युज लालवर्मा : २५
प्रि.प. म वी.ए.ए. क म द स. १२
उल्लिखित कागजात का सभा पटल पर
खना है :

(1) A copy of the Annual Report (Hindi and English versions) of the Development Council for Automobiles, Automobiles Ancillary In-

dustries, Transport Vehicle Industries, Tractors, Earth-moving Equipment and Internal Combustion Engines, for the year 1975-76, under sub-section (4) of section 7 of the Industries (Development and Regulation) Act, 1951 [Placed in Library See No LT-161/77]

(2) A copy each of the following Notifications (Hindi and English versions) under sub-section (6) of section 3 of the Essential Commodities Act, 1955 —

(i) The Copper (Prohibition of Use in the Manufacture of Electrical Cables and Wires) Amendment Order 1976 published in Notification No SO 750(E) in Gazette of India dated the 23rd November, 1976

(ii) The Copper (Prohibition of Use in the Manufacture of Electrical Cables and Wires) Amendment Order, 1977 published in Notification No SO 59(E) in Gazette of India dated the 31st January, 1977

[Placed in Library See No LT-162/77]

(3) A copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956

(a) (i) Review by the Government on the working of the Hindustan Cables Limited, for the year 1975-76

(ii) Annual Report of the Hindustan Cables Limited for the year 1975-76 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon

(b) (i) Review by the Government on the working of the Bharat Heavy Electricals Limited, for the year 1975-76

(ii) Annual Report of the Bharat Heavy Electricals Limited, for the year 1975-76 along with

the Audited Accounts and the comments of the Comptroller and Auditor General thereon.

[Placed in Library See No LT-163/77]

12.14 hrs.

FINANCIAL COMMITTEES (1976-77)—A REVIEW

SECRETARY-GENERAL I beg to lay on the Table a copy of 'Financial Committees (1976-77)—A Review' (Hindi and English versions)

PARLIAMENTARY COMMITTEES—SUMMARY OF WORK

SECRETARY-GENERAL I beg to lay on the Table a copy of the 'Parliamentary Committees—Summary of Work (Hindi and English versions) pertaining to the period 1st June, 1976 to 18th January, 1977

12.15 hrs.

CALTEX [ACQUISITION OF SHARES OF CALTEX OIL REFINING (INDIA) LIMITED AND OF THE UNDERTAKINGS IN INDIA OF CALTEX (INDIA) LIMITED] BILL— contd

MR. SPEAKER We will now take up Item No 15 for consideration

SHRI O V ALAGESAN (Arkonam) Sir I welcome this Bill brought by the Minister for Petroleum Shri Bahugunaj. It concerns an area in our economy which is both crucial and strategic. This is the culmination of a process that began quite some time ago. Over the years there has been a demand in this House and also among the public that the three foreign refineries should be nationalised. The two bigger ones of the three refineries have already been

nationalised and now the proposal is to take over the management and ownership of the Caltex Refinery

12.16 hrs.

[KUMARI ABHA MAITI in the Chair].

Now these refineries were established in the early 1950s and there was an agreement that these refineries should not be nationalised before the expiry of 25 years. Now, it is because of that that an agreement had to be entered into for the takeover of the three foreign refineries. What the previous Government has done is being continued and, in this connection, I would like to say that when these foreign people were invited to establish refineries in India, the country had absolutely no oil technology and so we invited them to come here and set up their refineries. But now we have developed our technology, we have increased production and we have increased our refining capacity—which is more than even the consumption requirements of the people today.

This is not a small achievement. It is not a small achievement, in a period of 25 years, to be in a position to say good-bye to the foreign refinery owners and to have acquired the position where our technologists are in a position to go to other countries and establish refineries and offer technological assistance. It has to be admitted that this is not a mean achievement. When I say that this is the achievement of the Congress Party, I do not deny the part that the Prime Minister has played in our Party. It is unfortunate that the Finance Minister should have disowned everything that had been done before and denied the economic advantages that have accrued to him at the time of his taking over. He might have done it out of pique or pettiness, but from the national point of view, it was short sighted. I would like to cite an opinion from a reputed magazine. The Economist of London; it is neither for the Congress Party

nor against the Janata Party This is what it has to say on the inheritance of the Janata Government in the economic field—this issue is dated March 26 1977

For all its inbuilt political conflicts the Janata Party has far fewer economic constraints to worry about than previous governments The foodgrain buffer stock stands at 18 m tonnes and foreign exchange reserves at more than three billion dollars Thus the two biggest hurdles to development have been overcome Shortages of raw materials transport and power have also largely disappeared Exports are rising by 30 per cent and industrial growth by 10 per cent this year It is a good inheritance If properly managed it could be the basis for a successful assault on poverty and unemployment

This is what a neutral magazine has said about the inheritance of the present Government, as to what the previous Government has achieved

The story of Bombay High is a miracle story and I wish that the present Minister who is known for his dynamism, pushes forward the progress that has already been achieved and tries to produce more and more of crude both on and off shore because we are in a very tight position with regard to supply of crude The import bill of crude which was less than Rs. 200 crores some years ago owing to the rise in prices of crude in these years has gone up to about Rs. 1200 crores. So we have to hasten exploration of oil the search for oil both on and off shore and see that this deficiency is made up as quickly as possible I hope under the present Minister we will achieve self sufficiency in crude production, so that we need not depend on others It is a large out go of foreign exchange—to the tune of Rs 1,200 crores—which this country cannot afford

Because of the five-fold increase in crude prices the prices of petroleum products here in this country have gone up Several Committees have gone into this question I would appeal to the hon Minister to see whether the prices of these petroleum products like kerosene petrol diesel and also cooking gas can be brought down by any means I know the difficulty This is because the prices of crude are going up and are threatening to go up further Under these circumstances, it will be a tall order to ask the Minister to reduce the prices to any considerable extent but still I would request him to pay his attention to this aspect and see if it would be possible for him to reduce the prices especially of kerosene which is used by the poor people of this country

We have a programme for expansion of refining capacity We have undertaken to establish a second refinery in Assam at Bongaigaon we are going to almost double the capacity of the Koyali refinery and we propose to establish a new refinery at Mathura As far as the expansion at Koyali is concerned and the second refinery in Assam is concerned I have nothing to say but I would like the Minister to consider my suggestion that it will be more profitable to have refineries on our coasts than inland In fact the crude that is proposed to be taken to Mathura would be landed at some place in Saurashtra and would be taken through the pipeline I would like the Minister to examine my suggestion whether it will be more economical and useful from various points of view to have coastal refineries instead of inland refineries In that connection I would like to plead that since you are taking over Caltex Refinery in Visakhapatnam on the east coast expansion of that may be considered You have to plan more and more refineries in the country to meet the growing demand Now the demand has been artificially contained because of the high prices of crude and

(Shri O V Alagesan)

petroleum products I think last year the rise in demand is about less than 2 per cent. If you allow consumption at proper price levels are maintained, prices are reduced the consumption would go up by not less than 5 per cent every year. You have to plan for more refineries and there I would appeal to you to plan refineries on the coasts. Shri Biju Patnaik who is sitting by the side of Shri Bahuguna is a very dynamic person and he brought into existence the Port of Paradeep. But for his perseverance and dogged action that Port would not have been brought into existence. I would suggest a new refinery in that place and another refinery in Tuticorin which is fast developing into an important industrial centre. You will certainly expand the existing coastal refineries in Madras and Cochin and if you think of the refineries on the West Coast barring the two refineries in Bombay which have already been taken over you may think of Goa as a very suitable location. It is necessary that the refining capacity should be increased and that way we should have the necessary crude for feeding these indigenous refineries. That will help us to reduce the import bill not only that it will reduce our dependence on other countries which may vary their policy in times of crisis. It is absolutely necessary that we go in for more energetic and more intensive exploitation of oil. Several regions like off shore Cauvery Orissa Off shore region and Off-shore Kutch region have been leased out to foreign companies. For the present the hon. Minister is engaged more in politicking. If he diverts part of his attention to these things he will achieve miracles.

So I would once again appeal to the Minister to look into these matters. I know he has just taken over but during the next session of Parliament I hope he will come with a

policy and action that he proposes to pursue.

I welcome this Bill and give my support to it.

SHRI DINEN BHATTACHARYA (Serampore) I could not welcome this Bill fully. It is a backlog imposed by the previous government on the present government. Why don't you call it a negotiated purchase? It is neither nationalisation nor take-over. You will be astonished to know how long the negotiations continued. I have heard Mr Malaviya spoke here on so many occasions and everytime coming and saying 'We are taking active measures to take over all the oil companies including the Caltex, both refining and marketing. After all it is good that as soon as this new government took up the responsibility it has come forward with the Bill and Mr Bahuguna able no doubt he is has brought it in this session. But I will request him to at least look into this Bill and its full implication.

Why have you decided to pay compensation to a company which has looted our country so long and so much? You are paying Rs. 13 crores as compensation.

AN HON. MEMBER More than that.

SHRI DINEN BHATTACHARYA then you are also taking up the responsibility of paying their taxes. Why? My question to the Minister is Why? Why cannot you take it over and tell these people 'You have taken enough money. What was your total investment and how much money you have repatriated to your own country by way of exploitation which was allowed by the previous government during its last 30 years rule?' I do not know on what basis the compensation was assessed. Mr Malaviya took so many years to calculate and find out as to what are the assets of these companies. How do you arrive at

this figure? Why do you take up the responsibility of paying the taxes due by these companies to the government including income-tax and wealth tax? Why? That is my question to the Minister to at least satisfy not this House alone but the whole country also

The whole country looks to you that you will at least initiate a new policy in this matter. We want to be self-reliant so far as the petroleum products are concerned. My friend Mr Alagesan was telling us to why the prices of petroleum products have gone up. Don't you know the actual price of crude and the refining costs? And what are the taxes you are levying? I know because I have some connection with some automobile industries. I know the condition of the automobile factories. Why are our cars not being sold in the market? It is because of the increase in the petrol prices. And then our poor villagers are suffering for the abnormal increase in kerosene prices. Madam Chairman, you come from West Bengal. Do you know the actual production cost of one litre of petrol? If you calculate it will be Rs 120. But what is the price in the market? It is Rs 140 in cities.

THE MINISTER OF STEEL AND MINES (SHRI BIJU PATNAIK)
That is the posted price

SHRI DINEN BHATTACHARYA
What is the amount of taxes you are levying? If you reduce the taxes automatically, the price will come down. I would request the Government to at least look into this matter.

The Members on the Opposite side are laughing. They wanted to reap the harvest. Now, Mr Barua comes and laughs at it and says please reduce the cost. When we were previously asking him in this regard everytime the then Government came up with a statement that they could not do that. I have been in the Lok

Sabha since 1962. Mr Chavan is also sitting by his side. He was the Finance Minister at one time. He also took the steps to impose abnormal rate of excise duty.

My second question is regarding the employees. I know thousands of employees in Caltex were retrenched when the computerisation was introduced by this foreign company. In Calcutta itself from their Head Office hundreds of employees—clerks and others—were retrenched and they have not been provided with any alternative job. Many of these employees are still without a job. They are not getting any alternative job anywhere. Their cases may kindly be considered sympathetically. It will be better if you can provide them with job in these taken over companies.

I have already mentioned about the higher rate of profits earned by Caltex. In the past they had already repatriated crores of rupees. Still they will be a hang over on you on this new Government. After all the total amount may be taken into consideration. What are their total assets? I do not get any hint either from your Financial Memorandum nor from the Statement of Object and Reasons. I know that this is the fault of the previous Congress Government who "have been boasting about ushering in a big socialist State. I say the calculations for knowing the assets of the company could not be made for the last so many years. The whole matter is most surprising.

Shri Alagesan has mentioned that for crude we have to depend on the foreign suppliers. I wonder why? Why did their Government (Censors) take up measures promptly so far as off-shore drilling and other exploration works are concerned? So far as West Bengal is concerned you abandoned the idea of off-shore exploration. Some experiments were made even there spending lakhs of rupees.

[Shri Dinen Bhattacharya]

I do not know the result. We have not been informed about that so far.

I would appeal to you to kindly look to this matter at the earliest so that we may be relieved of the exploitation by this foreign big oil monopolist even for on-shore and off-shore exploitation.

I know that if you make a serious attempt you will succeed. You will get all cooperation not only from us, but from the people of the whole country. Lastly I request you to look into the tax structure of the petroleum products and the kerosene products so that the people could get these things at cheaper rates.

PROF. R. K. AMIN (Surendra nagar) I have moved an amendment to omit the words 'free of income-tax'. Was this Bill prepared by the previous Government, before this Government came into power? Has this been kept without any change by the present Minister? How is it that this clause has been allowed? Is it by some contrivance? I say this because civil servants in their negotiation include such things though it may not be the policy of the Government. When you say 8 per cent income-tax free, the effective rate becomes 13 per cent. Is there any loan raised by Government of India in regard to which interest is paid at 13 per cent? If not, then this is inconsistent with the Government policy. So, this should be examined and enquired into as to who did this?

SHRI CHITTA BASU (Barasat) This Bill provides for cent-per-cent acquisition of Caltex India Ltd. So far as the proposition of taking over of the assets is concerned it is a welcome move. But it is surprising to know that this take over measure is not in keeping with the professed ideas of the Minister concerned. Caltex is one of the three big foreign oil companies functioning in this country for a long time. This foreign oil company in this country did not really

allow us to develop our own national economy. Petroleum in industry occupies a very strategic position in the national economy of our country. It is related to the developmental projects of our country. It is also vitally related to the defence of the country. Self reliance in the petroleum industry can hardly be over-emphasised. That being the case the previous Government during the long period of thirty years have not really paid proper attention for the attainment of self reliance in this respect. The foreign companies were allowed to repatriate huge sums of money from this country by way of loot and plunder of our national economy. It was in the lines of things that the present Government should reverse that process.

As far as the attitude of the previous Government goes, they were to woo the foreign private companies' investment in this country. They widely opened the floodgates for the multinationals in this country. Their policy was not to restrict the foreign investment in the country. The policy of the previous Government was also not to attain self reliance in this country (interruptions). Sir, it is amazing to note that the present Government is also following in the footsteps of the predecessor Government. I know that it is a fait accompli for the hon. Minister. Negotiations were not conducted by Shri Bahuguna. And the agreement was also not finalised by him. The agreement was entered into by the previous Government and he is just following it up.

Madam Chairman, while making this comment I also want to know from the hon. Minister whether he is examining the economics of the Caltex to know what was the actual investment of the Caltex in India and what was the total amount repatriated by them during these years. So far as the economics of the foreign company as well as its performance is concerned, it would be evident from

the fact that their repatriation has been already of a big order. I have got with me the figures in my possession to show that in the year 1963, these three foreign oil companies had repatriated a sum of Rs 100 crores annually. That being the case the general pattern of the foreign oil company, Caltex cannot be an exception.

So far as Burmah Shell is concerned, I have got my figures to show that they have made an investment of Rs 67 crores. They have repatriated about Rs 30 crores. This is the general pattern of exploitation or loot of the foreign oil companies that are operating in India. Therefore I strongly disapprove of the idea of paying such a huge amount of money of about Rs 14 crores by way of purchasing their assets. It would only mean the negation of the national policy. It is not justified.

Therefore, even at this stage, I ask the Government of India to reconsider this proposal. In this connection, I would only refer to Dr Tanzar, a well-known petroleum expert as to what he says namely that India should not malign all foreign oil refineries and pay no compensation. He further says that considering the enormous profits they have made these companies deserve no compensation. May I draw the attention of Shri Bahuguna to the example set by the Chilean Government with regard to the International Copper Company? It is in the fitness of things that the Janta Party should also follow the example set by the Chilean Government in the matter of nationalisation of the International Copper Company in Chile. It was the expectation of the people the desire and expectation of the country as also this House. And during the past few years we had always collaborated and surrendered ourselves to the interests of the foreign investment in our country. Is it not the time for you to rise up and say that India belongs to the people of India and we want to build

a national self-reliant economy and India will not remain an arena of exploitation by the oil cartels.

Madam Chairman in Clause 11 the Government proposes to reserve the right of altering the condition of work and service of the present employees. It might be necessary to bring about further changes but that should not be to worsen the condition but for betterment of the life of workers already employed there. May I seek an assurance from the hon Minister that if alterations are necessary they will not be to the disadvantage of the workers who are already working under Caltex India Ltd.? May I also have another assurance to the effect that the government will improve upon the condition of the workers there?

SHRIMATI PARVATHI KRISHNAN (Coimbatore) Madam Chairman I welcome the Bill to take over this foreign concern particularly in the petroleum industry which is extremely important for our national economy. At the same time I have my reservations and I would like to say that the amount of compensation that is being paid is very high as here is a foreign company which has derived tremendous profits by exploiting our country. Earlier also I have maintained that the compensation amounts that are being doled out to the foreign companies in this country should certainly not reach phenomenal proportions.

I am quite aware that the Minister himself does agree with me on this point. All I would like to request him is that when Parliament thought fit to amend the Constitution and give further rights to Parliament in the matter of compensation to foreign companies please take that out of the cold storage and see that you make full use of it. In this connection may I also point out that in the process you may not throw the baby out with the bath water. Keep what is good. There were good legislations in the past 39 years and there have been

[Shri Dinen Bhattacharya]

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[Shri Vinodbhai B Sheth]

The House is ignorant about that I would request the Minister to tell the House how this figure of 13 crores has been arrived at

There is another clause which relates to take over by the Government the premises of the employees of the Caltex company. This clause is legally unenforceable, morally unjustifiable and socially callous. We cannot take over the premises of the employees who come from the middle class families. The Government has no right to interfere with the contractual agreement between the company and the employees. The employees have not purchased these flats from the company. They have purchased it from the landlords. The company have not even given loans to the employees. They have taken loan from outside and paid interest on that. Some have purchased these premises in the name of their wives. In case of divorce, there will be difficulty for the Government in allotting the premises. Therefore I would request the hon. Minister that this section 72 should be omitted or deleted from the statute. I think all the cases should be looked into. There should not be any discrimination among the employees of three companies ESSO, Burmah Shell and Caltex, and they should be given justice.

SHRI VAYALAR RAVI (Chirayinkul) Madam, Chairman I welcome this Bill. This is the baby of the old Government which Mr Bahuguna is carrying. I do not want to discuss the policy but I am sorry the ruling party members still have anti-Congress feelings in their minds. I wish to tell my friends on the treasury benches that the Congress Government never ignored the petroleum industry. Everyone knows that the previous Government had a definite policy on petroleum. When the US experts came in 50s and gave their opinion that oil could not be found here, the

then Government of India refused to accept their advice and they went back. I agree that Soviet experts did find oil in Assam.

In 1961 the production of indigenous crude was 0.45 million tonnes, it has gone up to 6.8 million tonnes in 1971-72 and to 7.5 million tonnes in 1974-75. Mr Chittil Babu will understand this.

AN HON MEMBER What about imports?

SHRI VAYALAR RAVI We imported 7 million tonnes in 1974-75. But the share of these two foreign companies—Caltex and Burmah Shell—had been reduced considerably. Against their import of 2.9 and 1.1 million tonnes it has considerably gone down in 1974-75 to 1.2 and 0.48 million tonnes. So the Government was able to reduce the import of crude oil by these foreign companies in 1974-75. It is true that we have to depend upon foreign crude because our indigenous production is not enough, and we have to spend Rs. 1200 crores in foreign exchange.

If you look at the statistics you will find that in 1971-72 it was only Rs. 192 crores in foreign exchange. It was in 1971-72 that the previous government came to parliament. In 1974-75 it is Rs. 1200 crores. If the OPEC countries in Geneva have done something why do you blame the previous government for it? As a result of this attack on the economy, not only India but all the developing countries had to suffer. I am not defending the OPEC countries decision. I am sorry for the decision of the OPEC to help capitalist countries. That decision did not help the developing countries in Asia and Latin America. The money earned by the OPEC was put in American banks. Unfortunately it was their decision.

Therefore don't abuse the previous government saying that it had no policy. It had a policy. We have found oil in Bombay High. I hope Mr Bahuguna will continue the process. I am sure he has no all-communist mania.

Now about the employment and distribution policies. Some refineries are producing crude and petroleum products and selling them to the IOC. The IOC employees are getting all the benefits like bonus while the producing units are not getting any benefit at all. For example I will cite the case of the Cochin refinery to the Minister. That refinery does not have a distribution agency. The agency is the IOC. The issue of paying bonus arose. The Cochin refinery employees could not get a single paise as bonus in 1974-75, because they were told that losses were being incurred. Meanwhile the distribution agency employees, viz those of the IOC got a bonus of 20 per cent because of the pricing policy. The hon Minister should look into the pricing and distribution policies.

We have petrol bunks under the name of Hindusthan and Bharat. But the distribution is made only from the production of the Cochin refinery. The names are different. The companies have gone. Why can't we have a single distribution agency? Let all the petrol bunks be put up by the IOC. Let the refineries exist as producing units and let there be another distribution agency. It will help us better. The Cochin refinery makes the supply to all the petrol bunks in Kerala and Tamil Nadu. The refinery workers will then be benefited. In this connection I would urge upon the Minister not to fall into the trap of some of the notes put up. When an idea was mooted to increase the capacity of the Cochin refinery a proposal was made for the super tanker to come to the Cochin port. When this idea was mooted by the Petroleum Ministry, it was said that they

can have a pipeline from Bombay to Cochin. This was a funny idea. It sabotaged the whole programme of the government. I hope the Minister will be careful about this funny idea.

I am pointing out this because the people of Kerala are sore that the super-tanker berth has been denied to the Cochin Refinery. The capacity of the Cochin Refinery has already increased and it can refine more crude. I think the total capacity of the State sector refineries is 20.1 million tonnes. It can be increased if the Cochin Refinery can be expanded and that can be done if you help to establish a super-tanker berth at Cochin. If you allow a super tanker berth to come up in Cochin the entire south will be supplied by the Cochin Refinery.

The employees should be completely protected. Government have taken a wise decision to cut down the salaries of the high-paid officials from Rs 10,000 to Rs 5,000. It is a very good decision. You must fix a ceiling on the salaries of high-paid employees of the refineries. Be it the Managing Director or anybody. There should be a uniform policy regarding the salary for the managerial and other cadres and the disparity should be reduced between the ordinary worker and the highest paid employee.

I agree with the view expressed here regarding compensation. Even though I belong to the previous Government I am not able to appreciate the agreement under which the Government decided to pay a high compensation and write-off tax arrears. I do not know whether this Government can do anything about it. Perhaps, they have to honour the commitments of the previous Government. Otherwise Government will lose their credibility. I am very sorry that the previous government agreed to such a high compensation and I want to express my regret for it.

[Shri Vayalar Ravi]

Shri Ram Gopal Reddy made a suggestion that we can pay the compensation in one lump sum rather than in five instalments. Since our foreign exchange reserve position is very good we can pay it in a lump sum and thus save the interest payment.

While wishing the hon. Minister every success in this Ministry which is a very complicated one on account of the foreign exchange involved, I wish to say that the hon. Minister has to look to the interests of all the regions of the country. For instance, Shri Alagesan referred to the Madras Refinery and I have referred to the Cochin Refinery.

SHRI O V ALAGESAN: I have also referred to the Cochin Refinery.

SHRI VAYALAR RAVI: The hon. Minister comes from UP and the Mathura Refinery is still in difficulties. I hope that along with the Mathura Refinery the Madras and Cochin Refineries will also flourish. I hope he will give equal importance to all the three refineries.

I congratulate the hon. Minister and support the Bill.

SHRI H N BAHUGUNA: Madam Chairman, I am beholden to the hon. Members who have given their very valuable suggestions while discussing this Bill on the floor of this House. My hon. friend Shri Alagesan, with his vast experience of the actual working of this Ministry, has given many suggestions.

I can assure him that the location of refineries has got to be interconnected with the availability of crude and the prospecting of crude which is going on both in the Bay of Bengal as well as in the Kutch area. We are not at the journey's end so as to indicate where we propose to put up our new refineries. Obviously they will have to be put up at particular points where crude can be made available. It has been suggested that

it should be put up only at the coast. But the whole complexion of the country is such that regional imbalance and many other considerations have to be taken into account.

The consumption point has also to be kept in view. Whether we carry crude or petroleum products is a question ultimately of economics and we have to see what is more economic in the overall interests. I can assure you that no other consideration will weigh with this Government, with me, except the wellbeing of the people of this country providing them with the cheapest possible fuel or energy and the location will therefore be decided on that basis.

Another point has been raised by almost every speaker about compensation. It is not really compensation. The word compensation has its own meaning and therefore I do not want to use it. I am merely saying that an amount in consideration of the take over is being paid. As you know this is an international foreign company and for good reasons or for reasons best known to the predecessor Government and their negotiating team, all this has been agreed upon by the Government of India.

I am not one who would say that there has been no petroleum policy. If I may say so, if there is anything which can be said to the utmost credit of the last 20 years of Congress rule in India, it is this particular field where India has gone ahead at a speed and in a manner which I would say remains a matter of pride for this or any developing nation.

It is another point that mistakes might have been committed here and there. Shri M. J. Parvathi Krishnan was quite right. One should never throw out the baby with the bathwater. The bathwater is there. I am only trying to isolate the baby from the bathwater. There have been mistakes here and there which have got to be

taken care of, avoided, but fundamentally in the sector of petroleum and petroleum products it has been to a large extent a policy of self-reliance and public or State ownership of the means of production

It was asked how we arrived at this Rs. 13 crores. I do not want unnecessarily to present the case as a defence counsel would do—I am not saying everything that I should be expected to say—but the written down value of the assets of Caltex and all those undertakings which are taken over in their books of accounts would be reasonably such as to make us accept this amount as a fair price for the take-over

My eminent and hon friend who is a leading advocate has raised the question about income-tax and the reason for exempting them from payment of income-tax. He has asked what would happen to penalties to be imposed on Caltex, if any for the past years or the current year. So far as the liability of Caltex on many accounts whether it be income-tax or other taxes or duties which are in dispute, is concerned, we have to see that we do not give away the entire amount all at once. So we are keeping some amount behind so that over three or four years when their liabilities vis-a-vis the Government with regard to income-tax and other matters are cleared up we have an amount from which we can make the deductions necessary

That is why we are doing it in instalments and it would not be possible if we are really to give the entire sum to them. I quite agree with the calculations of my hon friend with regard to Vinod Seth. His calculations are not wrong by and large, they are just a little here and there but they are near the point so much approximating to the actual amount. But the point is that so far as capital gains tax is concerned it is to be done in rupee basis. We have

helped them with money and they gave back that money to the Government. It is true that they take away Rs 13 crores, it is not Rs 13—429 crores. Then there would be about Rs 871 crores. Obviously it is not intended to reduce the take over price, or the take over cost or money in consideration of take over. The net is 13 that is you see somewhere or other if the hon Members should like to say I do not want to make it part of the records of the House because we have got still an oil company and I do not want to get involved with them on the pattern this particular pattern I will have to keep in my mind the various views expressed here. But, right now if we are to put and present the case in support of all that this Bill contains perhaps it may not be in the national interest. Therefore I want to tell the Members here and assure them that we do not want to give any amount more than necessary and I wish we could withhold this. But the thing has gone to a length where the country's commitment has gone rather far or is irrevocable unless we are to come down upon a policy of expropriation or a policy declaring that we shall not pay anybody anything.

Shrimati Parvathi Krishnan is quite right in pointing out about 31D regarding the Constitution Amendment Bill which this House had the privilege to pass in the 5th Lok Sabha with regard to compensation. As far as 31D is concerned it is quite right. But the point is that unfortunately the predecessor Government never used it for a day never used it for a moment. I assure here that we do propose to take it out of the cold storage and make use of it as much as possible and as far as possible. Unfortunately, we cannot deal with either thing one way or the other.

My hon friend was talking about the question of Soviet investment. I do not know much about that. So far as Soviets are concerned, the basic

[Shri H N Bahuguna]

help has been in the public sector. We have already taken the public sector with us. There is no question of taking over Russian interests except where they are in private companies or I do not know how far they are. The point is that socialist bloc came in this country and helped in the basic field in the public sector. Others came in various other fields. I am not going into controversy. But we take over on the same ground or whosoever runs that particular industry irrespective of colour.

A point has been raised about the employees and there are two parts of it. As far as this particular clause about changing the terms and conditions of the employment to which some of my hon. friends felt disturbed is concerned I can assure them that there is no intention on the part of the Government to change any of the terms and conditions of the employment of workmen. Instead I give full assurance for the workmen that we do not want to change them but not for those people who are in that category who are not workmen who are supervisory staff and other empanelled officers and those who have perks and salary which are not in tune with our total wage policy. Rs 8000 including perks or excluding perks is not a salary which I can give to anyone. Either that man has got to come down to our terms within our wage structure or I cannot create a special field for this type of people. There is no question of hurting or harming any other set of employees.

So far as the employees who were retrenched by the Caltex earlier are concerned if any of them is of any use to us in our new refineries or in our new organisation, certainly he will be considered and I will be there to consider them. But in these refineries or in these particular place where there is no possibility of having computerised work there is no possibility of bringing them back in those very

places. I am sorry I have to say, with regret no on that score.

There has been a lot of talk about pricing policy. We are not talking now on this. But with a goodwill on all sides and a good wish on all sides for reducing the prices something can be done. But how do we go about? I welcome the suggestion made by Mrs. Parvathi Krishnan of asking the trade unions how to go about it. I am requesting her right now through you, Madam, that she may kindly make a working paper for a reduction of oil prices or petrol prices or for that matter any price and I am willing to sit with them to work on that economics. The trade unions do know more than what many of us do. I have knowledge of them because I myself have been one of them.

My point is that someone has to make a start and do something about it. I am quite willing to go into the whole question along with them if they can tell me how to go about that matter. There are certain things which are inevitable in the context of rising oil prices all the world over. That has to be kept in mind and I am sure we cannot give unnecessary hope to the people that something is going to happen when we know that the journey has not come to an end in the matter of self sufficiency in petroleum or its derivatives.

Something was said about the rate of interest, why 8 per cent. Again I say it is part of the bargain. That is not something which unilaterally the Government has done. There has been a bargain struck between the Government and the Caltex. Every thing is a byproduct of that bargain. Some people will say "Why not the Janata Party Government overthrow that bargain and have a new one?" These are not the things which are done by a great nation of ours. The continuity of Government and the continuity of the commitment or for that matter the credibility of the

Government is a matter of great importance and we should do nothing which may in the international world create a scare against the Indian economic system or against the various sort of things that are connected with our economy.

Now though I very much dislike it there are many multi nationals in this country. They are already here. They are in the field of drugs they are in many other fields and in very strategic fields. Yet I cannot do much about it in 7 or 10 days. After all if somebody has crept in here for the last 50 years or 40 years or 30 years or 20 years one will have to think what to do about it at least for many months. We cannot with one shot say 'Look, you take Re 1/- and go back home. The Constitution says that Under the Constitution I will be entitled to take away any industry for Re 1/-'. No court can challenge that in view of the Constitution Amendment. But that will create a situation in which perhaps our society as constituted today is not willing to go nor we are ready for that absolutely new type of thing which involves many considerations.

I cannot create socialism in the Petroleum Ministry. Obviously that is not a byproduct of petroleum. If it were so I would have done it. Socialism is not a derivative of petroleum. But I can assure the hon. Members one thing. Everybody knows my views. I am a socialist. I do believe in socialism. I do believe in public ownership of the means of production. We should have more and more of it. But I do also believe that we have a democratic way of life. We have to proceed in a particular manner. We have to do many things. But democracy is equally important. Therefore we have got to see that we don't do things in haste.

One thing more that as was said was about cowdung. I would appeal to the whole nation to save cowdung. We don't want it to be wasted. Apart from other uses the farm and field needs it is a basic inorganic fertilizer.

In fact cowdung is more precious to me than many other things. But today we are wasting a lot of it. We have to develop a cowdung technology which involves the gas system of cooking for the rural areas. It is not the housewives in the towns and cities who really matter in this connection. I don't say that they don't matter, they do matter in the economy of the country but the vast number of mothers and sisters of the rural areas are dealing with cooking more than anyone else is doing and it is they who have to be told how to save it. Therefore the technology of using cowdung gas for producing food and yet saving cowdung for the farms as inorganic manure has to be pursued more and more for which we need the assistance of the Hon. Members as well as a deliberative policy on the part of the government to pursue that line and to assist and help those putting up this type of plants.

Now Mr. Alagesan was quite right when he said that when the refinery was put up there was an agreement made in 1950 that for twenty-five years there shall be no takeover. This, in fact, is therefore a continuation of the terms of the agreement made at the time of the factory or refinery or particular organisation being brought into this country. But I can assure you that it is not a bad bargain. In spite of the fact that one can say that there could be still less payment to say that they have taken away hundreds of crores of rupees, is also not physically correct. But I don't want to enlarge on this as I have to deal with one more company in this particular field and many more in the field of drugs and fertilizer. But I would say that what has been done has been done in good faith and I smell no rat in it. In fact the whole thing was processed under an Ordinance and that Ordinance was public property.

Now regarding the employees some Hon. Members raised a point about some premises. Some flats in

[Shri H N Bahuguna]

Bombay—about 29 or 30 of them—and some perhaps in Delhi were rented by Caltex and Caltex then gave them over to the officers as perquisites. When we announced our policy in 1974 (we means the Government of India—and it is a continuing thing whoever may be there) they passed over these flats to the senior employees who purchased them out of their hard-earned money, and a number of them—twelve to my knowledge—are occupying these flats even today as owners, and Caltex was to surrender the lease. I may say that the whole thing was processed even before I became the Minister of petroleum. As the Prime Minister said the other day we have been here only a few days and the whole trouble is that it has to pass through so many stages by reason of the requirements of law. So, even before I became the Minister the Bill had been processed at all levels and I signed it later on as my baby. I accept it, I don't say that there is anything wrong about the whole thing. But as for 7(2) there is really an element of mischief in it. When the discussion comes up on that particular thing at that point I will make my observations, but I can assure you at this juncture about one thing—that it is not our intention to throw out those who have purchased these houses from the flats. We are very sorry that Caltex should have done such a thing and put these people in a quandary.

Suppose those officers do not want to come. Where do I put my new officers? In which premises? I have no house. I have to provide a house. Therefore I am between the Devil and the Deep Sea. Nevertheless we shall try to find some method by which we can reduce the mischief in this. The mischief is we were taking over the rights of the employees without providing for any payment

thereon. It is true, Constitutionally and legally there is the difficulty; I admit that. Suppose we say that we pay them some money in consideration of this particular thing contained in Cl 7(2) or so. But I can assure you that by and large, the policy would be not to disturb them, even if we are put to some inconvenience. If the law is needed to be changed to that extent I have to go back to my colleagues, I cannot do it unilaterally. The thing came up only a day before, some people came to me only a day before in the night at about 900 pm. I did not really have the time I have to consult my colleagues. It has to go to the Cabinet. Therefore, right now, I would plead patience with the friends who have any difficulty in this and I can assure them that so long as I am at the helm of affairs I make this commitment that I do not propose to disturb these people who have purchased these flats and whose ownership has already been established before the introduction of this Bill. If something is done today or yesterday, I am not going to bother. The mischief in the law is there. But that will be attracted only if I were to interfere with the rights of that particular person, and I say that we do not propose to interfere with those rights, we do not want to trouble anybody. It is not our business to do that. I am sorry Caltex had played ducks and drakes with us. It was not a correct thing for a company of the standing of Caltex to put us against our own Indian brethren and make this Government face them—Caltex taking all the praise saying 'we gave you this'. We know that this has happened. The company was going. They knew that they did not have to surrender any right. They had no business to surrender any right. On that very point I have to talk to Caltex since they have done it. They have also to tell me how they propose to do and what they propose to do in the matter. I only hope that they are no more doing that. What-

ever has happened has happened It is only 12 quarters But if you go on extending this favour surreptitiously it is not a correct thing to do it is not a correct behaviour

In the end I would say that I am again grateful to my friends who have suggested many thing beyond the scope of this Bill, with regard to larger policy frame of petroleum crude its production and so on I would only say that I need the goodwill of the whole House and the people. Government will have to have the luck to find more oil In respect of oil, it is luck and pluck both Millions and billions of rupees have been spent round many countries but they have not been able to strike a single well Therefore I am only praying hoping and expecting that we will strike more oil I am more than sure that India's destiny is linked up with energy and energy we shall have

DR HENRY AUSTIN (Erankulam) The hon Minister has said that he would try to find more oil. Will he give an assurance—or at least say that he will look into it—that the remaining places where prospecting was proposed to be taken up will be taken up I have particularly in view my constituency, off the coast of my constituency Ernakulam in Kerala where some surveys have already been undertaken. Throughout Kerala, people are waiting for some such encouragement I hope, under the Minister's dynamic leadership, the areas in Kerala will be taken up

SHRI H N BAHUGUNA We are at the moment on Caltex I cannot make a random speech I can assure him that, wherever oil is available off-shore or on-shore it will be our endeavour to bring that oil up

SHRI VAYALAR RAVI Regarding Caltex take-over about employees will the Minister announce that there will be labour participation in the management?

SHRI H N BAHUGUNA The policy in this respect has not been changed by this Government, but I would say that to the question of participation of labour in management we have to give a careful thought and at the appropriate time we would come to that But as I said, the basic policy of the Government in this regard has not been changed by us

SHRI M S SANJEEVI RAO (Kakinada) As you know the foreign companies who had taken lease on the East Coast are not going ahead at all What action is being taken?

SHRI H N BAHUGUNA They had tried one well, but found it barren and they are not doing their job But right now it does not arise in relation to this Bill

SHRI ANNASAHIB GOTAHINDE (Sangli) The hon Minister has said that he would protect the transactions which the Caltex had entered into in respect of some premises We would like to know whether that protection would be afforded to the transactions entered into before the introduction of this Bill or before the appointed day

SHRI H N BAHUGUNA I have already said that those that have come within the purview of this Bill are supposed to be between 1974 to 1976 That is the period governed by Section 7(2) Whatever is covered by that I am talking of that only

MR CHAIRMAN The question is

"That the Bill to provide in the public interest for the acquisition of the shares of Caltex Oil Refining (India) Limited and for the acquisition and transfer of the right, title and interest of Caltex (India) Limited in relation to its undertakings in India and thereby to secure that the ownership and control of the petroleum products pro-

[Mr Chairman]

duced by the Caltex Oil Refining (India) Limited and marketed and distributed by the said undertakings in India are so distributed as best to subserve the common good be taken into consideration."

The motion was adopted.

MR CHAIRMAN Now we will take up clause by clause consideration of the Bill. There are no amendments to clauses 2 to 6. The question is

That clauses 2 to 6 stand part of the Bill.

The motion was adopted.

Clauses 2 to 6 were added to the Bill.

Clause 7— [Special provision as to certain rights and interests held by Caltex (India) before the appointed day]

SHRI RAM JETHMALANI (Bombay North West) I beg to move

Page 5—

after line 5 insert—

"Provided further that nothing in this sub-section shall apply to any transaction involving the delivery of possession actual or constructive of residential premises by Caltex (India) before the appointed day either upon transfer surrender or relinquishment or otherwise of a right or interest therein in favour of the owner or a person who is or was an employee of Caltex (India) or a spouse or child of such an employee or the Joint Hindu Family of which such employee was a member"(1)

SHRI VIJAYBHAI B SHETTY I beg to move

omit clauses 4 and 5—

omit clauses 24 to 46 and 1 and 2 respectively (1)

Page 5, line 6—

for (3) substitute (2) (12)

Page 5 line 7—

omit or sub-section (2) (13)

SHRI RAM JETHMALANI Madam Chairman, now that the principle of the Bill has been accepted in full, I only want to make one observation. While I fully accept the dynamic socialism of the hon Minister as well as the central core of the Marxist teaching which I hear on the other side I must make it clear that one of the copious causes of injury to our national interest in the matter of development of our industry and economy has been our thoughtless criticism of foreign capital foreign investment and the role of foreign companies. I think our economy needs them and I hope we shall continue to attract foreign capital on terms not of exploitation but of partnership. Our Indian companies are flourishing in foreign lands and if all the time we keep on saying that these foreigners come here and make investments and exploit this country there is no reason why others should not say so about Indian companies which are making fairly good profits in other countries. I take it, therefore that the policy of this Government is not going to be to shy away foreign capital out of this country.

Coming now to Section 7(2) I wish to make clear my own view as a lawyer that Section 7(2) is wholly unconstitutional and void. It is indefensible even under the provisions of the Constitution as they exist after the 42nd Amendment. You cannot validate Section 7(2) but since the hon. Minister is in some difficulty we do not wish to embarrass him and we would allow Section 7(2) to go on record with the assurance that he shall protect all those who have validly acquired titles to the properties in which they were living until the date of their retirement from Caltex.

Let me however, say this that perhaps the hon Minister is not very far to Caltex because Caltex might not have really played ducks and drakes with us as he said but it is the old policy of this company and I know it. It is a policy which existed prior to 1974 that whenever their senior employees retired they tried to provide accommodation for them by releasing accommodation in their favour and surrendering their own in rights in the apartments which they held. Therefore it is not something which they have done after 1974 or tried to do something underhand. They have also been guided by humanitarian motives in favour of their own employees and they have tried to see that nobody is uprooted after his retirement. Therefore I do not know whether this criticism is really justified and I am sure the hon. Minister will look into this and rectify it if this criticism causes any undeserved damage or hurts to anybody.

If the hon Minister has accepted that he is not going to disturb those who are in occupation I believe he will have no difficulty whatever in accepting the amendment that I have moved namely the addition of a proviso to clause 7(2) on the assumption that clause 7(2) will continue to be a part of the law. All that we have said here is that nothing in this section shall affect the right of those employees who have received residential premises from Caltex on surrender of their own tenancy rights. This proviso you should have no difficulty in accepting at all. This is without any embarrassment to anybody. I do not want anybody to be left to the tender mercies of an assurance given when the legal titles will be wholly displaced. Consider Madam what will happen? How will these people defend themselves against trespassers in a court of law? Suppose a trespasser comes and says 'Your title is extinguished under Sec 7(2). You are not the owner at all,

what is the remedy for them? Therefore, to protect them, you must accept at least this limited proviso which I have moved and Mr Sheth has already allowed you to retain Section 7(2).

That is all I want to submit. You should make it secure for these people to live in their premises.

SHRI VINODBHAI B SHETH (Jamnagar) I heard some of the explanations given by the hon Minister and when the assurance is given if the proviso of Mr Ram Jethmalani is accepted I do not mind withdrawing my amendments.

Secondly if you say the compensation is equal to the written down value it is a bit contradictory. When the price negotiated is Rs 13 crores, then there is a capital gain of Rs 429 crores. If the written down value is accepted as the amount for compensation then the question of capital gains does not arise at all. (Interruptions) Yes it is a question of book entry.

We are going to pay compensation as per clause 10(3). So far as the credibility of this nation is concerned, the provision 'free of income-tax' may be kept.

SHRI H N BAHUGUNA I am grateful to Shri Vinodbhai for agreeing to this 8 per cent.

Regarding the question raised by him with regard to capital gains which amounts to Rs 429 crores I am again saying that it is part of the bargain and it is not a question of something. In any case it is a book entry. We pay them and they pay it back to us. They do not take it home. Nobody is allowed to take it home. We are not reducing it from Rs 13 crores because that is a commitment and a bargain.

So far as the point raised by hon. Member, Shri Ram Jethmalani is

MR CHAIRMAN, The question is

"That Clause 8, as amended, stand part of the Bill"

The motion was adopted

Clause 8, as amended, was added to the Bill

1400 hrs

Clause 9—(Power of Central Government to direct testing of the undertakings of Caltex (India) in a Government Company)

SHRI ANNASAHEB GOTKHINDE
Sir, I beg to move amendments Nos 7, 8 and 9

Page 5, line 31,—

omit "or has complied,"(7)

Page 5, line 36,—

omit "such earlier or"(8)

Page 5, line 37,—

omit "(not being a date earlier than the appointed day)"(9)

श्री हेमचन्द्र नंदन बहुगुणा : मैंने एक अखेर तक आप का धन लिया ; इसको भी प्रेस कर रहे हैं ।

SHRI ANNASAHEB GOTKHINDE
In deference to the wishes of the hon. Minister I will not press these amendments

I seek leave of the House to withdraw these amendments

Amendments Nos 7 to 9 were, by leave, withdrawn.

MR. CHAIRMAN The question is

"That Clause 9 stand part of the Bill"

The motion was adopted

Clause 9 was added to the Bill

Clause 10—[Payment of amount to Caltex Petroleum and Caltex (India)]

श्री हुसमदेव नारायण यादव (मधुवनी):
सभापति महोदय, मैं इस 1 धारा 10 की उपधारा (2) में मैं अपना सशोधन पेश करूंगा । पहला जो है धारा 10 की उपधारा (1) में उस को मैं भूल नहीं कहूंगा ।

I beg to move *

Page 6, line 9,—

add at the end—

"and this amount shall be spent by the company on the development of small scale industries in India" (3)

धारा 10 की उपधारा (2) में जो मेरा सशोधन है वह यह है कि कर मुक्त ब्याज लगेगा, यह हटा दिया जाय । उस के सबध में मुझे यही कहना है कि कानूनी आधार इस का क्या होगा मैं वह नहीं जानता, मैं केवल इतना ही जानता हूँ कि सविधान को जहां तक मैं जानता हूँ उस में लिखा हुआ है कि हिन्दुस्तान में सभी लोगों को एक समान न्याय मिलेगा और एफ समान रखा जायगा । तो जब दूसरे लोगों से इतनी आमदनी पर टैक्स लिया जा सकता है तो इस कम्पनी को क्यों छोड़ा जा रहा है, यह बात मेरी समझ में नहीं आई । हमारा जो जनता पार्टी का चुनाव घोषणा पत्र है उस में यह लिखा हुआ है कि दस हजार तक की आमदनी को हम माफ़ कर से मुक्त मानेंगे । अब मेरी समझ में यह बात नहीं आती कि यहां कम्पनी को 11 लाख डालर सूद में दिया जा रहा है, इतना खर्चा जब कम्पनी को सूद में दिया जा रहा है तो उस को माफ़ कर से मुक्त किया जा रहा है और दूसरी तरफ हमारे चुनाव घोषणापत्र में यह कहा गया है कि दस हजार से ज्यादा जो रहेगा उस में दस हजार तक ही कर मुक्त रहेगा ।

[SHRI H N BAHUGUNA]

concerned I am completely in agreement with him. My difficulty is as I said and also indicated the matter has to be considered by the Cabinet. When I said that I meant that it was considered by the Cabinet even before I came to the Petroleum Ministry.

SHRI RAM JETHMALANI: We will protect you against your Cabinet.

SHRI H N BAHUGUNA: I am not seeking protection. I am saying about the propriety. Something which we charged the previous government with. I am not going to commit the same mistake. If it is necessary to provide it by law—Mr Jethmalani says that it should be provided by law, but I am going a step further—if it is necessary and perhaps it may be necessary to do so then we may think of removing the entire clause. We might have to do that. Therefore I appeal that the question of accepting the proviso should not be insisted upon.

SHRI RAM JETHMALANI: I am not pressing Amendment No 1 to Clause 7 of the Bill. I seek leave of the House to withdraw it.

Amendment No 1 was by leave withdrawn

SHRI VINODBHAI B SHETHI: I am not pressing Amendments No 11, 12 & 13 to Clause 7 of the Bill. I seek leave of the House to withdraw them.

Amendments Nos 11 to 13 were by leave withdrawn

MR. CHAIRMAN: The question is

"That Clause 7 stand part of the Bill."

The motion was adopted

Clause 7 was added to the Bill.

Clause 8—(Removal of doubts)

SHRI ANNASAHEB GOTKHINDE (Sangli): I beg to move

Page 5 line 27—

for an substitute "a reasonable" (6)

The amendment is very simple and I hope there should be no difficulty for the Government to accept it. Before referring to Clause 8 I would draw the attention of the Hon Minister to Clause 15 of the Bill on which this particular amendment is based. It requires the contract to continue unless terminated by the Central Government.

Please refer to page 8 last proviso.

Provided that the Central Government shall not terminate any contract or make any alteration or modification therein except after giving to the parties to the contract a reasonable opportunity of being heard."

Clause 8 is, for removal of doubts

8(2) "If any question arises as to whether any property appertained, the question shall be referred to the Central Government which shall after giving an opportunity of being heard to the persons interested in the matter decide it in such manner as it may think fit."

Government has already taken the stand that opportunity should be given. There has to be and should be a reasonable opportunity. Why is not my amendment being accepted?

SHRI H N BAHUGUNA: I do not mind accepting if the word 'reasonable' is put.

MR. CHAIRMAN: The question is

Page 5 line 27—

for an substitute "a reasonable" (6)

The motion was adopted.

MR. CHAIRMAN The question is

"That Clause 8, as amended, stand part of the Bill"

The motion was adopted

Clause 8, as amended, was added to the Bill

14 00 hrs

Clause 9—(Power of Central Government to direct testing of the undertakings of Caltex (India) in a Government Company)

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Sir, I beg to move amendments Nos 7, 8 and 9

Page 5, line 31,—

omit "or has complied,"(7)

Page 5, line 36—

omit 'such earlier or'(8)

Page 5, line 37,—

omit "(not being a date earlier than the appointed day)"(9)

श्री हेमवती नंदन बहुगुणा : मैंने एक अर्रेंजमेंट आप का मान लिया । इसको भी प्रेस कर रहे हैं ।

SHRI ANNASAHEB GOTKHIHDE
In deference to the wishes of the hon Minister I will not press these amendments

I seek leave of the House to withdraw these amendments

Amendments Nos 7 to 9 were, by leave, withdrawn.

MR CHAIRMAN The question is

"That Clause 9 stand part of the Bill"

The motion was adopted

Clause 9 was added to the Bill

Clause 10—[Payment of amount to Caltex Petroleum and caltex (India)]

श्री हुसमदेव नारायण यादव (मधुबनी):
सभापति महोदय, मैं इस 1 धारा 10 की उपधारा (2) में मैं अपना ससोधन पेश करूंगा । पहला जो है धारा 10 की उपधारा (1) में उस को मैं मूव नहीं करूंगा ।

I beg to move *

Page 8, line 9,—

add at the end—

"and this amount shall be spent by the company on the development of small scale industries in India" (3)

धारा 10 की उपधारा (2) में जो भेरा ससोधन है वह यह है कि कर मुक्त व्याज लगेगा, यह हटा दिया जाय । उस के सबंध में मुझे यही कहना है कि कानूनी आधार इस का क्या होगा मैं वह नहीं जानता, मैं केवल इतना ही जानता हू कि सविधान को जहां तक मैं जानता हू उस में लिखा हुआ है कि हिन्दुस्तान में सभी लोगों को एक समान न्याय मिलेगा और एक समान रखा जायगा । तो जब दूसरे लोगों से इतनी आमदनी पर टैक्स लिया जा सकता है तो इस कम्पनी को क्यों छोड़ा जा रहा है, यह बात मेरी समझ में नहीं आई । हमारा जो जनता पार्टी का चुनाव घोषणा पत्र है उस में यह लिखा हुआ है कि दस हजार तक की आमदनी को हम आयकर से मुक्त मानेंगे । अब मेरी समझ में यह बात नहीं आती कि यहा कम्पनी को 11 लाख डालर सूद में दिया जा रहा है, इतना रुपया जब कम्पनी को सूद में दिया जा रहा है तो उस को आयकर से मुक्त किया जा रहा है और दूसरी तरफ हमारे चुनाव घोषणापत्र में यह कहा गया है कि दस हजार से ज्यादा जो रहेगा उस में दस हजार तक ही कर मुक्त रहेगा ।

सभापति महोदय - आप कौन से नम्बर का अमेंडमेंट मूव कर रहे हैं ?

श्री हनुमन्त नारायण यादव - यह धारा 10 की उपधारा (2) पर है ।

सभापति महोदय लेकिन अमेंडमेंट न० कौन सा है आप का ?

श्री हनुमन्त नारायण यादव - अमेंडमेंट नम्बर इस में जो दिया गया है वह तो है 3 ।

मुझे ज्यादा नहीं कहना है । केवल इतना ही कहना है कि जनता पार्टी ने जो चुनाव घोषणा पत्र में जनता से कहा है उन में और इस विधेयक में मुझे अन्तर्विरोध नजर आया इसलिए मैं ने मंत्री जी का ध्यान इस तरफ आकृष्ट करना चाहा कि हिन्दुस्तान में सभी लोगो को इस हजार तक ही आप छूट दे सकते हैं तो इस कम्पनी को 11 लाख डालर जो आप दे रहे हैं उस पर आप कहते हैं कि प्रायकर नहीं लगेगा इसके पीछे क्या रहस्य है, मैं पैदात का रहा वाला एक साधारण आदमी हूँ, किसान हूँ, लोक सभा में प्रतिनिधि बनकर आया हूँ, तो इन सब बातों में मुझे बहुत ज्यादा गड़बड़ महसूस पड़ती है । दो तरह की दृष्टि जब बनेगी, वह विदेशी हो या देशी हो या यह भी हो सकता है कि पीछे की सरकार ने जो बार्ना की हो उस के फलस्वरूप हो या यह अमेरिकन कम्पनी है, यह भी इस में पता लगता है तो उस अमेरिकन कम्पनी का पीछे की सरकार पर इतना दबाव रहा हो कि जिस सरकार ने उस कम्पनी से बार्ना की उस ने अमेरिकन सरकार के दबाव में आकर ऐसा किया हो या जो विश्व में साम्यवादी और पूँजीवादी दोनों के नाम पर दो दृष्टि चलती रही है उस से कहीं प्रभावित होकर तत्कालीन सरकार ने इतनी बड़ी राशि प्रायकर मुक्त कर के देना या छूट कर लिया होता था जो जनता की सरकार है उस को सोचना चाहिए ।

मंत्री जी ने विचार के प्रस्ताव के समय कहा कि चूंकि एक सरकार बाग कर चुकी है तो उसका मैंने तोड़ें । अगर एक सरकार न

वादा किया भारत कम्पनी को घाड़ें देने का तो उसको हम कैसे छीन सकते हैं — मैं समझता हूँ इस तक में कोई दम नहीं है । पिछली सरकार ने कम्पनी से वादा किया है और कोई एसीमेंट हुआ लेकिन अब इस सरकार का काम है कि वह उस वादे पर फिर से विचार करे और इस बात को देखे कि इस कम्पनी को जो प्रायकर मुक्त सुद दिया जा रहा है उसको देना देश के लिए ठीक होगा या नहीं, वह जनहित में होगा या नहीं । इस बात को देखना इस सरकार के लिए परमावश्यक है । प्रायकर मुक्त इतने लाख डालर की इतनी बड़ी राशि अगर आप किसी कम्पनी को देते हैं तो मैं नहीं समझता वह समाजवाद या प्रगतिशीलता का दृष्टिकोण होगा । अगर समाजवाद सही माने में कुछ धर्य रखता है तो इस बिल को समाजवादी बिल नहीं कहा जा सकता । जो भरा भगला सरोक्षण है उसपर जब मैं बात करता तो आगे की बात ताऊंगा लेकिन अभी तो मैं यही कहना चाहता हूँ कि सविधान में सभी नागरिक बराबर हैं और न्याय के आधार पर सभी की समानाधिकार मिलना चाहिए । जनता पार्टी ने लिखा है अपने चुनाव घोषणा पत्र में कि 10 हजार तक की आमदनी हफ्ता प्रायकर मुक्त कर देंगे । फिर यह जो बिल आया है जिसमें इतनी राशि करमुक्त कर दी है यह एक अन्तर्विरोध है और जनता को दिए गए आश्वासन के प्रतिकूल है ।

चूंकि मैं जनता से चुनकर इस सदन में आया हूँ तो हमारी पार्टी ने जनता के सामने जो आश्वासन दिए हैं और वादे किये हैं उनको भी देखना मेरा फर्ज हो जाना है । मैंने जोर भर विरोधी दल की राजनीति की लेकिन वहां और घबराहट मुझे सरकारी पक्ष में बैठना पड़ा । चूंकि सरकार इस विधेयक का लक्ष्य है और मैं जानता हूँ किसी न किसी तरह मुझे इसका साथ देना पड़ेगा फिर भी मैं मंत्री महोदय से चाहूंगा कि वे इसपर विचार करें क्योंकि इसमें अन्तर्विरोध है और यह हमारी पार्टी के घोषणपत्र के विरुद्ध जाता है ।

श्री हेमवती नन्दन बहुगुणा सभापति
महोदय माननीय सदस्य हुक्मदेव नारायण
यादव जी ने जिस भावना के अन्दर और जिस
समझदारी के अन्दर बान नहीं है उससे कोई
झगडा नहीं है। प्रश्न सिर्फ यह है जैसा मैं
ने पहले भी कहा कि काल्देक्स के साथ एक
सौदा पक्का हुआ, इस सौदे का हिस्सा है कि
हम उनको प्रायक से मुक्त कर रहे हैं उस सौदे
को तोड़ना कहा तब उचित होगा। यहा पर
श्री जठमलानी जी कह रहे थे कि बाहर के देशो
को पैसा जा रहा है ता हमारे देश म भी
प्राये। मैं नहीं जानता सरकार को क्या
नीति रहेगी किन शर्तो के साथ रहेगी लेकिन
प्रश्न यह है कि विदेशी कम्पनी को विदा
करत समय हमने बचन दिया है उसको भंगर
तोड दें तो उससे अन्तर्राष्ट्रीय कठिनाई पैदा
होगी और इसी कारण इस बात को मजूर
करना पड रहा है। इसी कारण 13 करोड
रुपए रखे गए हैं। अगर हम एन करोड
5 लाख रुपये पर इनकम टैक्स लें तो काल्देक्स
वाले यह भी कह सकते थ कि 13 करोड म हम
नहीं मानते। मैं मुन कहता चाहता हू कि सौदे
की माफत यह कम्पनी ली जा रही है सविधान
म जो एनको अधिकार है स्वन लेने का उसने
अन्तर्गत नष्ट लिया, जा रहा है। इस सौदे
को हम बिगाड नहीं सकते हैं, इस कठिनाई
को हुक्मदेव जी को देखना चाहिए।

नेविन एन वात घास मायूम हो यदि
है—माननीय सदस्य जिस दल से खड़े हाने
हैं वही जीतता है और सरकार बनाना है।
इसलिए सब को यह मान लेना चाहिए कि
मानदार सदस्य जिसर 7 खड़े हो रहे ह।

उसी दल की सरकार बनती चली जायगी।
इस छुशी की घूचना के लिए जिसे उन्होंने
दिया है मैं उनको धन्यवाद देना चाहता
हू।

MR. CHAIRMAN I shall now put
amendment No 3 to the vote of the
House

*Amendment No 3 was put and
negatived*

MR CHAIRMAN The question is

That Clause 10 stand part of the
Bill.

The motion was adopted.

Clause 10 was added to the Bill.

Clause 11—[Transfer of service of
existing employees of Caltex (India)
etc.]

SHRI ANNASAHEB GOTKHINDE
I beg to move

Page 7 line 14—

for "an" substitute "a reasonable"
(10)

As the hon. Minister has already
accepted my similar amendment, I
request that this may also be accepted.

SHRI H N BAHUGUNA I accept
it for his satisfaction. At one place
the word reasonable is there So for
similarity I accept his amendment

MR. CHAIRMAN The question is

Page 7 line 14—

for "an" substitute "a reasonable"
(10)

The motion was adopted

MR CHAIRMAN The question is

That Clause 11 as amended stand
part of the Bill

The motion was adopted

Clause 11 as amended, was added to the Bill

Clause 12—(Prudent superannuation, welfare fund etc)

SHRI HUKMDEO NARAIN YADAV

I beg to move*

Page 8—

after line 4 insert—

(5) There shall be a Board of Directors to manage the affairs of the company which shall consist of—

- (i) one representative of the Reserve Bank of India
- (ii) one representative of the Government of India
- (iii) two representatives of trade unions
- (iv) two representatives of consumers
- (v) two representatives of farmers
- (vi) one jurist to be nominated by the above representatives and

the representative of the Bank shall be the Chairman and the representative of the Government shall be the Secretary of the Board of Directors." (5)

समाप्ति महोदय, मैंने जो सशोधन दिया है—उस के पीछे एक दृष्टिकोण है। इस समय हम जिस विषयक पर विचार कर रहे हैं, उस के सम्बन्ध में हम यह मान कर चल रहे हैं कि यह पहले की सरकार द्वारा बनाया हुआ है। लेकिन जहाँ तक राष्ट्रीयकरण का सवाल है—हम लोग जो राष्ट्रीयकरण के पक्षवाले हैं, हमारी मूल धारणा रही है कि वास्तव में राष्ट्रीयकरण हो। राष्ट्रीयकरण और सरकारीकरण इन दोनों में

बहुत बड़ा फर्क है। यह कहा जा सकता है कि यह विधेयक राष्ट्रीयकरण वाला है, लेकिन मेरी दृष्टि में यह राष्ट्रीयकरण नहीं है, बल्कि सरकारीकरण है। एक निजी विदेशी कम्पनी जो हमारे देश में कारोबार कर रही थी, उस के काम को सरकार ने अपने हाथ में ले लिया, लेकिन इस का जो प्रयोज्य है, वह उसी पद्धति से चलगा जिस पद्धति से यह आज तक चलता आया है। एक डायरेक्टर और चपरासी में जो भन्तर भाज त चलता आया है, वह भागे भी चलेगा। जो बड़े भ्रष्टाचार हैं, उन के रहन-सहन का जो ढग है, उन की भाना-शौकत, यगता, बौड़ी मोटरकार—ये सब उसी तरह से संचालित रहेंगे जैसे कम्पनी के मातहत थे। सरकार के अपने हाथ में लेने से उन की कार्य-पद्धति में कोई भ्रमण नहीं आएगा। फर्क सिर्फ इतना पड़ेगा कि पहले उन को बरसटव्स कम्पनी के जरिये बेतन मिलता था, अब उस का भुगतान भारत सरकार के जरिये होगा। राष्ट्रीयकरण में तब मानता जब एक चपरासी और इस कम्पनी में काम करनेवाले सब से बड़े भ्रष्टाचार दोनों के बेतन और भत्ते में जो भ्रष्टाचार असमानता है, उस को दूर करने का कोई कार्यक्रम इस में होता। इस में उस असमानता को दूर करने का कोई प्रयास नहीं किया गया है। छोटे छोटे कर्मचारियों का जो शोषण भ्रष्टाचारों द्वारा होता है, उन पर जो उन का नियंत्रण होता है, उन का पता हमेशा उन के ऊपर बसा रहता है और वे उन को दबाने में सज्ज रहते हैं, उन बड़े भ्रष्टाचारों का पता उन के ऊपर बसा हो और छोटे कर्मचारियों को बचाना न सके, इस के सम्बन्ध में इस बिल में कुछ नहीं है। इस में केवल इतना ही होगा कि पहले जहाँ अमेरिकन कम्पनी द्वारा उन को बेतन मिलता था अब वह बेतन भारत सरकार दिया जाएगा। इस का मतलब यह हुआ कि रेनार्डो की पटरी वहीं है इंचन वहीं है

लेकिन जो पहले डिब्बा लगा हुआ था, उस डिब्बे को बदल दिया गया है। दजन बड़ा चल रहा है और सम्पूर्ण व आधार वहीं चल रहा है। मैं किसानों का प्रतिनिधि हूँ लेकिन इस में किसानों के प्रतिनिधित्व की, उपभक्ताओं के प्रतिनिधित्व की कोई बात नहीं कही गई है। जनता पार्टी न बनने चुनाव घोषणा पत्र में कहा था कि उस के द्वारा मजदूरों का हित होगा और किसानों का हित होगा। जनता पार्टी को सरकार का यह प्रबल राष्ट्रीयकरण का विशेषक सदस्य। पता हुआ है, तो मैं सरकार से पूछना चाहता कि इस में मजदूरों की साक्षीदारी का सवाल क्यों नहीं रखा गया है।

समाप्ति जी, मैं एक धुनियादी सवाल उठाना चाहता हूँ और वह यह है कि सरकार द्वारा यह कम्पनी ली जा रही है। मैं आप को बताना चाहता हूँ कि जब खेती के लिये हॉर्टीकल को आवश्यकता पड़ती थी पाम्पिंग सेट चलाने के लिये, तो मैं जानता हूँ, क्योंकि मैं एक किसान हूँ और भुक्तभोगी हूँ, कि हमें किनारी कठिनाइयाँ का सामना करना पड़ता था और वह हम को नहीं मिलता था। जब सरकार ने इस खेल कम्पनी को अपने हाथ में ले लिया है तो किसानों का एक प्रतिनिधि इस के संचालन मंडल में, बोर्ड आफ डाइरेक्टर्स में होना चाहिये। इन में किसानों का प्रतिनिधि हो, मजदूरों का प्रतिनिधि हो और उपभोक्ताओं का प्रतिनिधि हो और फिर उनके द्वारा सारे तंत्र का संचालन हो और सारा सरकारी तंत्र ही न हो। मैं चाहता हूँ कि एक ऐसी स्वतन्त्र संस्था हो जो इस कम्पनी पर नियंत्रण रखे। मैं समझता हूँ कि जो राष्ट्रीयकरण की दृष्टि है, उस के अनुसार ऐसा हाता जरूरी है। इसलिये मुझे यह सन्तोष देना पड़ा है और यह सन्तोष जो मेरी दृष्टि है, जो जनता पार्टी की दृष्टि है और जो चुनाव घोषणा पत्र में कहा गया है, उस के अनुसार

है और उस सब को ध्यान में रख कर ही सरकार को यह विधेयक लोक सभा में लाना चाहिये था। ऐसा नहीं हुआ है और इस से जनता भी जो आश्वासन दिया गया है, उस के प्रतिकूल यह विधेयक जाता है। मैं किमान हूँ और मैं किसानों के दर्द को देखा है और उन दर्द से मैं पीड़ित रह चुका हूँ। हम लोग किसानों का वोट लेकर यहां पर आये हैं और मैं उन में वायदा किया है कि भारत में लोक सभा में इस बार हम आप की बातों को उठावेंगे। यह पहला मौका है जबकि इस लोक सभा में लगभग 250, 300 विमुख किसानों के प्रतिनिधि चुन कर आये हैं और इस बार उद्योगपतियों और किसानों के बीच टक्कर होने वाली है। इस बार किसान हारने वाला नहीं है और हम अपने अधिकार के लिये लड़ेंगे। इसलिये मैं अपने सन्तोष को पेश कर रहा हूँ। राष्ट्रीयकरण की जो नीति है, उस में परिवर्तन हो और जनता के हित में यह चीज होनी चाहिये। केवल सरकारीकरण करने से कुछ नहीं होन वाला है। जो पुरानी सरकार की दृष्टि है उस को आप न अपनाएँ और इसलिये मैं अपना सन्तोष सदन में पेश किया है।

श्री हेमवती नन्दन बहुगुणा बिहार के माननीय सदस्य श्री हुजमदन नारायण यादव ने जो एक धुनियादी प्रश्न, मौखिक प्रश्न उठाया है, वह बड़ा व्यापक है। पहली बात तो मैं यह कहना चाहता हूँ कि हम ने कहीं भी 'राष्ट्रीयकरण' शब्द का प्रयोग नहीं किया है। टेक मोवर और राष्ट्रीयकरण में बहुत फर्क है। कम्पनी को अपने हाथ में लेना और राष्ट्रीयकरण करना, इन दोनों में योड़ा सा फर्क है। मैंने पहले भी कहा है कि भारत सरकार और कालटेक्स के बीच में एक समझौता हुआ है। इसलिये इस दृष्टि को माननीय सदस्य भूलें नह।

Clause 11 as amended, was added to the Bill

Clause 12—(President, superannuation, welfare fund etc)

SHRI HUKMDEO NARAIN YADAV
I beg to move*

Page 8—

after line 4 insert—

(c) There shall be a Board of Directors to manage the affairs of the company which shall consist of—

- (i) one representative of the Reserve Bank of India,
- (ii) one representative of the Government of India,
- (iii) two representatives of trade unions
- (iv) two representatives of consumers,
- (v) two representatives of farmers,
- (vi) one jurist to be nominated by the above representatives and

the representative of the Bank shall be the Chairman and the representative of the Government shall be the Secretary of the Board of Directors." (5)

समाप्ति महोदय, मैंने जो सजोघन दिया है—उस के पीछे एक दृष्टिकोण है। इस समय हम जिस विषयक पर विचार कर रहे हैं, उस के सम्बन्ध में हम यह मान कर चल रहे हैं कि यह पहले की सरकार द्वारा बनाया हुआ है। लेकिन जहाँ तक राष्ट्रीयकरण का सवाल है—हम लोग जो राष्ट्रीयकरण के पक्षवाले हैं, हमारी यह धारणा रही है कि वास्तव में राष्ट्रीयकरण हो। राष्ट्रीयकरण और सरकारीकरण इन दोनों में

बहुत बड़ा फर्क है। यह कहा जा सकता है कि यह विधेयक राष्ट्रीयकरण वाला है, लेकिन मेरी दृष्टि में यह राष्ट्रीयकरण नहीं है, बल्कि सरकारीकरण है। एक निजी विदेशी कम्पनी जो हमारे देश में कारोबार कर रही थी, उस के काम को सरकार ने अपने हाथ में ले लिया, लेकिन इस का जो प्रबन्ध है, वह उसी पद्धति से चलेगा जिस पद्धति में यह आज तक चलता आया है। एक डायरेक्टर और चपरासी में जो अन्तर भ्रान्त चलता आया है, वह भ्रान्त भी चलेगा। जो बड़े अफसर हैं, उन के रहन-सहन का जो इग है, उन की शाना शौकन, दमला, बाटी, मोटरकार—ये सब उसी तरह से संचालित रहेंगे जैसे कम्पनी के मातहत थे। सरकार के अपने हाथ में लेने से उन की कार्य-पद्धति में कोई अन्तर नहीं आएगा। फर्क सिर्फ इतना पड़ेगा कि पहले उन की वासटवस्तु कम्पनी के जरिये वेतन मिलता था, अब उस का भुगतान भारत सरकार के जरिये होगा। राष्ट्रीयकरण में तब मानता जब एक चपरासी और इस कम्पनी में काम करनेवाले सब से बड़ अफसर दोनों के वेतन और भत्ते में जो भयंकर असमानता है, उस को दूर करने का कोई कार्यक्रम इस में होता। इस में उस असमानता को दूर करने का कोई प्रयास नहीं किया गया है। छोटे छोटे कर्मचारियों का जो शोषण अफसरों द्वारा होता है, उन पर जो उन का नियंत्रण होता है, उन का पत्रा हमेशा उन के ऊपर चला रहता है और वे उन की दबावे में लगे रहते हैं, उन बड़े अफसरों का पत्रा उन के ऊपर कम हो और छोटे कर्मचारियों को बढ़ावा न सके, इस के सम्बन्ध में इस बिल में कुछ नहीं है। इस में केवल इतना ही होगा कि पहले जहाँ अमेरिकन कम्पनी द्वारा उन को वेतन मिलता था, अब वह वेतन भारत सरकार दिया जाये। इस का मतलब यह हुआ कि रेनगाडों की पगरी बही है, इजन बही है

लेकिन जो पहले डिव्वा लगा हुआ था, उस डिव्वा को बदल दिया गया है। इज्जत वहाँ चल रहा है और सम्पूर्ण का बेवार वही चल रहा है। मैं किसानों का प्रतिनिधि हूँ लेकिन इस में किसानों के प्रतिनिधित्व की, उपमन्त्री के प्रतिनिधित्व को कोई बात नहीं कही गई है। जनता पार्टी ने अपने चुनाव घोषणा पत्र में कहा था कि उस के द्वारा मजदूरों का हित होगा और किसानों का हित होगा। जनता पार्टी की सरकार का यह प्रथम राष्ट्रीयकरण का विधेयक सदन में पेश हुआ है, तो मैं सरकार से पूछना चाहता हूँ कि इस में मजदूरों की साझेदारों का सवाल क्यों नहीं रखा गया है।

सभापति जी, मैं एक बुनियादी सवाल उठाना चाहता हूँ और वह यह है कि सरकार द्वारा वह कम्पनी ली जा रही है। मैं आप को बताना चाहता हूँ कि जब खेती के लिये हमें बीजों की आवश्यकता पड़ती तो पाम्पन सेट चलाने के लिये, तो मैं जानता हूँ, क्योंकि मैं एक किसान हूँ और भुक्तभोगी हूँ, कि हमें किसी बठिन्दारों का सामना करना पड़ता था और वह हम को नहीं मिलता था। जब सरकार ने इस तेल कम्पनी को अपने हाथ में ले लिया है तो किसानों का एक प्रतिनिधि इस के सवालन मंडल में, बोर्ड आफ डाइरेक्टर्स में होना चाहिये। इस में किसानों का प्रतिनिधि हो, मजदूरों का प्रतिनिधि हो और उपभोक्ताओं का प्रतिनिधि हो और फिर उनके द्वारा सारे तत्त्व का संचालन हो और सारा सरकारी तत्त्व ही न हो। मैं चाहता हूँ कि एक ऐसी स्वतन्त्र संस्था हो जो इस कम्पनी पर नियंत्रण रखे। मैं समझता हूँ कि जो राष्ट्रीयकरण की दृष्टि है, उस के अनुसार ऐसा हाना जरूरी है। इसलिये मुझे यह समझना पड़ा है और यह समझना जो मेरी दृष्टि है, जो जनता पार्टी की दृष्टि है और जो चुनाव घोषणा पत्र में कहा गया है, उस के अनुसार

है और उस सब को ध्यान में रख कर ही सरकार को यह विधेयक लोक सभा में लाना चाहिये था। ऐसा नहीं हुआ है और इस से जनता को जो आश्वासन दिया गया है, उस के प्रतिकूल यह विधेयक जाता है। मैं किसान हूँ और मैं किसान के दर्द को देखा है और उस दर्द से मैं पीड़ित रह चुका हूँ। हम लोग किसानों का वोट लेकर यहाँ पर आये हैं और मैं उन में वायदा किया है कि भारत में लोक सभा में इस बार हम आप की बातों को उठानेगे। यह पहला मौका है जबकि इस लोक सभा में लगभग 250, 300 विपक्षी किसानों के प्रतिनिधि चुन कर आये हैं और इस बार उद्योगपतियों और किसानों के बीच टक्कर होने वाली है। इस बार किसान हारने वाला नहीं है और हम अपने अधिकार के लिये लड़ेंगे। इसलिये मैं अपने संसोधन को पेश कर रहा हूँ। राष्ट्रीयकरण की जो नीति है, उस में परिवर्तन हो और जनता के हित में यह बीज हानी चाहिये। केवल सरकारीकरण करने से कुछ नहीं होने वाला है। जो पुरानी सरकार की दृष्टि है, उस को आप न अपनाएँ और इसलिये मैंने अपना संसोधन सदन में पेश किया है।

श्री हेमवती नन्दन बहुगुणा बिहार के माननीय सदस्य श्री हुसमदेव नारायण यादव ने जो एक बुनियादी प्रश्न, मौलिक प्रश्न उठाया है, वह बड़ा व्यापक है। पहली बात तो मैं यह कहना चाहता हूँ कि हम ने कही थी 'राष्ट्रीयकरण' शब्द का प्रयोग नहीं किया है। 'टेन ओवर' और 'राष्ट्रीयकरण' में बहुत फर्क है। कम्पनी को अपने हाथ में लेना और राष्ट्रीयकरण करना, इन दोनों में बड़ा सा फर्क है। मैंने पहले भी कहा है कि भारत सरकार और कालेक्ट्रल के बीच में एक समझौता हुआ है। इसलिये हम दृष्टि को माननीय सदस्य भूलें नहीं।

[श्रीहेमवती नन्दन बहुगुणा]

दूसरी बात जो मैं उन से निवेदन करना चाहता हूँ वह यह है कि केवल बाल-टैंक्स कम्पनी ही तेल और डीजल बनाने का काम नहीं करती है। इण्डियन आयल कॉर्पोरेशन और आयल एण्ड नेचुरल गैस कमीशन तथा अन्य संस्थाएँ भी रिफाइनिंग इत्यादि का काम करती हैं। इसलिए उन का जो यह कहना है कि कोई आफ्र डाइरेक्टर्स में कौन कौन रहें, कैसे रहें, वह तो जब इण्डियन आयल के बारे में प्रस्ताव आए उस समय यह बात विचार करने की है। इस समय तो बालटैंक्स के टैंक भोवर का मामला सदन के सामने है। जब सम्पूर्ण तेल व्यवसाय, तेल उद्योग को चलाने के लिए नीति पर विचार हो, उसमें बालटैंक्स कम्पनी भी शामिल होगी, क्योंकि सम्पूर्ण तेल उद्योग का यह भी एक हिस्सा है, उस समय इन सब मुद्दों पर जो विमाननीय सदस्य ने प्रश्न उठाए हैं, विचार हो सकता है। अगर अभी हम बालटैंक्स के मामले में इन मुद्दों को मैं तो इसका मतलब यह भी हो सकता है कि हमने सम्पूर्ण तेल उद्योग का छोड़ दिया और केवल बाल-टैंक्स को लिया।

माननीय सदस्य ने कहा कि किसानों के प्रतिनिधि यहाँ पर ज्यादा हैं। खुशनुसीबी से मैं भी उसी वर्ग का हूँ। हम 290-300 सदस्य मजदूरों और किसानों का जो प्रतिनिधित्व करते हैं उनका ध्यान तो आना ही, इस विषय को क्या संदेह हो सकता है। लेकिन इस समय तो हम बालटैंक्स का इतना हम अपने हाथ में ले रहे हैं। उसका इतना हमें हो, यह उस समय विचार करने की बात है जब हम सम्पूर्ण तेल नीति पर विचार करें। वपडे के उद्योग का कैसे प्रबंध हो यह उस समय विचार करने की बात है जब कि वपडे उद्योग की नीति पर विचार हो। मैं माननीय सदस्य को विश्वास

दिलाना चाहता हूँ कि उस समय व जो भी बात उठाना चाहें वे उठा सकते हैं और हम उस पर पूरी तरह विचार करेंगे।

जहाँ तक डीजल मिलने के कठिनाई का सवाल है, फटिलाइजर मिलने में कठिनाई का सवाल है, ये सारी बातें जब पेट्रोलियम और फटिलाइजर से सम्बन्धित बजट पेश होगा उसमें आएगी तथा इसके सम्बन्ध में नीति निर्धारित होगी। उस समय माननीय सदस्य के सारी बातें रख सकते हैं कि इस मंत्रालय को इन सब बातों के सम्बन्ध में क्या करना चाहिए और उसी समय उन्हें ये सारी बातें करनी चाहिए। मैं माननीय सदस्य के विचारों और भावनाओं का आदर करता हूँ लेकिन उनका इस बिल से कोई सम्बन्ध नहीं है।

MR. CHAIRMAN I will now put amendment No 5 to the vote of the House

Amendment No 5 was put and negatived

MR CHAIRMAN The question is

'That clause 12 stand part of the Bill'

The motion was adopted

Clause 12 was added to the Bill

Clauses 13 to 24 The Schedule, Clause 1, the Enacting Formula the Preamble and the Title were added to the Bill

SHRI H. N. BAHUGUNA. I beg to move

'That the Bill as amended be passed'

MR CHAIRMAN The question is

'That the Bill as amended be passed.'

The motion was adopted

1424 hrs.

PETROLEUM PIPELINES (ACQUISITION OF RIGHT OF USER IN LAND) AMENDMENT BILL

THE MINISTER OF STEEL AND MINES (SHRI BIJU PATNAIK)
Madam I beg to move *

That the Bill to amend the Petroleum Pipelines (Acquisition of Right of User in Land) Act 1962 be taken into consideration "

It is well known to the House that the Kudremukh Project is a very important project and it has to be completed in a record time on a priority basis.

1425 hrs.

[SHRI S D PATIL in the Chair]

This is an additional pipeline for transporting petroleum. Powers are already vested with the Government but these are additional powers to be taken by the Government. Therefore this Bill has come as an amendment of the earlier one. So I would request the House to take this into consideration.

MR CHAIRMAN Motion moved

"That the Bill to amend the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 be taken into consideration "

SHRI KRISHNA CHANDRA HALDER (Durgapur) The Bill seeks to extend the coverage of the principal Act by providing the system of pipeline for transporting of other minerals apart from the existing provision for petroleum products. Before extending the provisions of the Act it would have been better if the Government would have paid some attention to the working of petroleum pipelines in the country. The petroleum pipelines scandals

were among the most prominent that were brought to light during the Congress regime in the past. The Takkru Commission was appointed to inquire into the scandalous state of affairs which highlighted losses of several lakhs of rupees to the Government. The findings of the Takkru Commission are perhaps now gathering dust in the official shelves. The Parliament has no idea rather Parliament was never informed about the steps taken by the Government to rectify the matters after the findings of the Takkru Commission were submitted to the Congress Government. There was serious apprehension that the entire matter was hushed up and the officers involved were allowed to get away with the booty. It is necessary that all these facts should be brought before the public by the Janata Government so that colossal misuse of power by the top officers can be stopped in future. If the Government had brought this Bill after rectifying the mistakes of the past Bill, it would have seen by the people in a different perspective. The technique of transport of bulk minerals by pipeline is a highly sophisticated technique. Some more thought should have been given by the Government as to whether this system should be introduced in India in today's circumstances. If the minerals are transported by traditional methods it would give employment to several thousand of workers. The proposed technique of transportation of mineral through pipelines will prevent generation of new jobs. If such high technological devices are introduced the task of achieving full employment in ten years will be greatly jeopardised. I would therefore request the Government to reconsider the introduction of such highly technical devices and further consider whether these jobs can be done with use of manual labour so that growing unemployment in the country is at least arrested to some extent. The Kudremukh Iron Ore Project

*Moved with the recommendation of the Vice-President acting as President

[Shri Krishna Chandra Halder]

where this technique is initially being introduced will only help the foreign company who will sell the machinery to India. Instead if the Government makes an effort of using labour intensive methods it will increase the purchasing power of the people and boost the domestic market. Therefore the Government should give some more consideration to this aspect. The principal act itself does not provide adequate compensation to the poor peasants whose land is acquired for the purpose. At times suitable alternative sites are also not provided to them. This only adds to the gravity of the problem. It is necessary that the government should make some efforts to change its attitude in this regard so that the poor people in the villages whose land is acquired are not faced with destitution. While providing for the removal of the construction on the land acquired by government this Act assumes added importance. Therefore I would request government to make a break with the haphazard manner in which the Congress government was tackling the issue in the past, so that government could take a more pro-people attitude on such an issue.

SHRI BIJU PATNAIK I do not understand what the hon. Member is trying to convey. As he himself says the pipeline is being laid to carry the slurry of concentrates from the iron ore belt to the harbour for onward transmission by ships to Iran. Does he suggest that this should be carried by head loads by labour all the way from the quarry to the port? That is how you can use more manpower (Interruptions). There is only one way. Either we carry by the pipeline by making it slurry or by millions of labour with head loads across the mountains. There is no other way.

SHRI KRISHNA CHANDRA HALDER If the alternative suggestion is accepted by the government it can be done.

SHRI BIJU PATNAIK Obviously so. Therefore, saying that this is going to take away the employment potential is incorrect, because quarrying will itself provide the potential. The maintenance of the pipeline will provide it and the bill amply provides for proper compensation to be paid, to be fixed by no less a person than the district judge if the pipeline removes buildings or fills up wells etc. I hope you will have no objection to this.

SHRI KRISHNA CHANDRA HALDER I want to know whether it will apply to other iron ore mines also in future as well.

SHRI BIJU PATNAIK Yes. This is an enabling bill to carry through pipelines materials other than petroleum and petroleum products. That is all which it seeks to do at the moment. It will be brought about for the same purpose for which this House has given powers to the government in the case of transportation of oil and oil products through pipelines. There is no difference.

MR. CHAIRMAN There are no speakers. The question is

"That the Bill to amend the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 be taken into consideration."

The motion was adopted.

MR. CHAIRMAN We shall now take up clause-by-clause consideration. The question is

"That Clauses 2 and 3 stand part of the Bill."

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Clause 4—

(Amendment of section 2)

MR. CHAIRMAN Now Clause 4. There is one amendment from Mr. Goldharde.

SHRI BIJU PATNAIK On this amendment I believe I have already explained the matter to Shri Gotkhinde I do not think he will insist on moving it

SHRI ANNASAHAB GOTKHINDE I would not move it I would seek to know whether there will be multiplicity of proceedings and contradictory recommendations

SHRI BIJU PATNAIK As I have already explained to the hon Member we have put in the words in the same area because there may be different authorities operating in the same area There are 2 different companies viz Caltex and Indian Oil They are 2 different corporations operating in the same area That has to be provided for Along with this an iron ore line has to come under a different authority And it will create further complication Therefore the bill seeks to provide for different authorities in the same area or in different areas

MR CHAIRMAN The question is

That Clauses 4 5 and 6 stand part of the Bill

The motion was adopted

Clauses 4 5 and 6 were added to the Bill

Clause 7—

(Amendment of section 6)

SHRI ANNASAHAB GOTKHINDE I beg to move

Page 2—

omit lines 20 to 23 (2)

The hon Minister was quite generous in explaining the provisions to me I am glad the intention of the Government is to safeguard and protect the interests of the users and occupiers Therefore I am not pressing this amendment

MR CHAIRMAN Has the hon Member the leave of the House to withdraw his amendment?

SOME HON MEMBERS Yes

Amendment No 2 was by leave, withdrawn

MR CHAIRMAN The question is

That Clauses 7 and 8 stand part of the Bill

The motion was adopted

Clauses 7 and 8 were added to the Bill

Clause 3—

(Amendment of section 9)

SHRI ANNASAHAB GOTKHINDE I beg to move

Page 3 line 26—

for the costs substituted—

the reasonable costs (3)

Though the Minister tried to convince me still my doubts are there If the intention is to safeguard the interests of the owner or occupier that will not be safeguarded unless and until my amendment is accepted I will make my point clear The provision reads

the Court of the District Judge within the local limits of whose jurisdiction such land is situate may on an application made to it by the competent authority and after holding such inquiry as it may deem fit

—what is the court called upon to do? The provision says

cause the building structure reservoir dam or tree to be removed or the well or tank to be filled up

That is the main function entrusted to the Court. So far as the fixation of the cost is concerned, there is no option left to the court It has to fix whatever cost is determined by the competent authority Therefore I would request the Government to accept this particular amendment In that case whether the cost determined by the competent authority is reasonable or not would be determined by the district court

SHRI BIJU PATNAIK The amendment moved by the hon Member really does not cover that point at all. In that case he should have stated reasonable cost as may be awarded by the District Judge. When the District Judge holds some enquiry for the removal of buildings, he also holds enquiry on the buildings put up and cost. So it covers both the things. What the hon Member has in mind is the protection of the tenant, the owner of the land or the building or whatever is sought to be demolished. I have no doubt that the Government have taken good care to protect the interests of the affected people. This Government does not like the previous Government take over any property at any price. That is not the intention of this Government. In view of that I would request the hon. Member to withdraw his amendment.

SHRI ANNASAHIB GOTKHINDE
I want to withdraw my amendment.
I seek leave of the House to withdraw it.

MR CHAIRMAN Has the hon. Member the leave of the House to withdraw his amendment?

SOME HON MEMBERS Yes

*Amendment No 3 was, by leave,
withdrawn*

MR CHAIRMAN The question is

"That Clauses 9 to 11, Clause 1, the Enacting Formula and the Title stand part of the Bill"

The motion was adopted.

Clauses 9 to 11, Clause 1 the Enacting Formula and the Title were added to Bill.

SHRI BIJU PATNAIK I beg to move

"That the Bill be passed"

MR CHAIRMAN The question is—

"That the Bill be passed"

The motion was adopted

PREVENTION OF PUBLICATION OF OBJECTIONABLE MATTER (REPEAL) BILL

**THE MINISTER OF INFORMATION
AND BROADCASTING (SHRI L. K.
ADVANI)** I beg to move

That the Bill to repeal the Prevention of Publication of Objectionable Matter Act 1976, be taken into consideration'

At this stage I do not want to say very much on this subject because the purpose of this Bill is obvious. We hold that during the last 19/20 months there has been a very serious encroachment into the freedom of the press and this particular measure, namely the Prevention of Publication of Objectionable Matter Act, which was adopted during the period of the emergency constitutes a very serious erosion of the freedom of the press.

[**MR DEPUTY-SPEAKER in the Chair**]

It is therefore that the Government has decided to include this among the first Bills to be introduced in this House. I commend it to the House with all the emphasis at my command.

I would like to say that our belief in the freedom of the press is not a matter of policy. It is an article of faith with us because we hold that without the freedom of the press, democracy is meaningless, and if the Prevention of Publication of Objectionable Matter Act remained on the statute-book, freedom of the press would be an illusory thing; it would have no meaning whatsoever.

This is the brief statement that I wish to make at this stage.

MR DEPUTY-SEPAKER Motion moved

"That the Bill to repeal the Prevention of Publication of Objectionable Matter Act, 1976, be taken into consideration"

श्री जे० रामेश्वर राव (हनुमन्त)
उपाध्यक्ष महोदय, मैं आप व जरिए पहन ही
बहुना चाहता हूँ कि हम इस बिल क खिलाफ
नहीं हैं। हम पूरी तरह से इस बिल का
समर्थन करते हैं। मुझे मन्त्रा महोदय की
इस बात में पूर्ण दृष्टिकोण है कि बिना
प्रेस या अखबारों की आजादी के जम्हूरियन
नहीं बन सकती है।

परमा नाम मैंने टिप्पणी करने पर प्रधान
मन्त्री व भाषण को बड़े गौर से सुना—
मुख्य उन व हर तर्ज में इतिहास है यह
भी हमारे माता व हमारे जय प्रधान मन्त्री
य—, मगर मैं देखता हूँ उन्होंने कोई नई
बात नहीं कहा। व सारा बातें हमारा
पार्टी कहो गई हैं। इस मदन में नहीं
गई हैं। मगर उन जमाने में उन व इम्प्ली-
मेंटेशन में कुछ साधारण हुई। मुझे उम्मीद
है कि कम से कम घर वन कि उहाने
वापस का सेबल छोड़ कर जनता पार्टी का
सेबल धरूपार किया है इसका इम्प्ली-
मेंटेशन होगा। इस में हमारा पूरी
मदद रहेगी।

एक चीज मैं मन्त्री महोदय व ध्यान में
लाना चाहता हूँ कि इस अखबारों आजादी
को देने के बाद वे यही जननिष्ठा जिसे
कहा जाता है उसे कैसे रोक लेंगे? मैं
भी नहीं चाहूँ और हम भी नहीं चाहेंगे
कि एसी चीजें अखबारों में बड़ी जाय
जिस में देश का नुसान हो या किसी
किसी के नुकसान हो। प्रस की डिगिनिटी में नुक-
होना चाहिए और एव कांड आफ काण्डवट
होना चाहिए। सोचने पर पड़े कि एव
प्रस कोसिल हो और एव कोड आफ काण्डवट
ही। मगर यह समल में नहीं आया।
अब हुकूमत इस के बारे में क्या ब्याल करे
है वे क्या सोचते हैं यह हम जनता चाहते
हैं। अब क्या करेंगे? प्रस कोसिल को
री-एक्टिवाइज करेंगे या कोड आफ काण्डवट
लाएंगे? क्योंकि यह जरूरी है।

जिस तरह से मन्त्री महोदय ने कहा कि बिना
अखबारों आजादी के जम्हूरियन नहीं चल
सकता जिससे मुझे बिल्कुल इत्तफाक है
इसी तरह अखबारों कोड आफ काण्डवट
के बिना भी जम्हूरियन नहीं बन सकती, यह
आप का मानना पड़ेगा। इन बात में आप
क्या मानते हैं? जिस तरह से इस का
अमल में लाएंगे जिस तरह से इस का
समाप्ति उस हद तक कि मदन में आप हम
को बिना न दिया तरह का एंपोसल जरूर
दीनिएगा। इस में ज्यादाता मैं कहता
नहीं चाहता और मदन का बचन भी नहीं
लेना चाहता। इन चीजों से शांति के साथ
मैं आप व इस बिल का समर्थन करता
हूँ।

SHRI JAGANNATH SHARMA
(Garhwal) Mr Deputy Speaker Sir,
after the historic elections the party
in power has stood for the service of
the people and is trying to preserve
the ideals of democracy Freedom of
Press is the corner stone of democracy
and a sound foundation of all demo-
cratic organisations Whether it is in
India whether it is in America or
England in all the democracies of the
world, there are certain elements
which are common for all democra-
cies For example in a democracy,
there is a rule of majority and res-
pect for the minority and the funda-
mental rights adumbrated in Article
19 of the Constitution and so on

Now even with all these freedoms
freedom of the Press is the most im-
portant, even with the freedom that
has been enunciated in Article 19 of
the Constitution freedom of the Press
is the most important While deciding
Ramesh Thapers case the Chief Jus-
tice Mr Patanjali Shastri has said
"There may be some abuse of free-
dom of Press A freedom of such
amplitude might involve risk of abuse.
But the framers of the Constitution
may well have reflected with Madison
who was the moving spirit in the pre-
paration of the First Amendment of
the Federal Constitution that it is

[Shri Jagannath Sharma]

better to leave a few of its noxious branches to their luxuriant growth than by pruning them away to injure the vigour of these yielding the proper fruits." Then Lord Mansfield has said "Printing without any previous licence." With all this background, what the Congress Government did? It abrogated the Feroze Gandhi Act, it suppressed the recommendation of the Press Commission and it brought forward an Act which can be termed as the darkest Act in the history of this House. In fact there was no occasion for me to speak on this Bill. But since this Act has a dark history, since this Act under repeal is treated as a black Act, I thought of speaking a few words on this Bill.

Everybody knows that there was the Press Emergency Powers Act passed in 1930 and then there was the Publication of Objectionable Matter Act, passed in 1931 and both these Acts were repealed in 1937. What was provided in these Acts? There was a provision that the security can be forfeited but the forfeiture of security shall be decided only by a court of law. In spite of this background in spite of this history in spite of this knowledge that they had in this round the Congress Government brought forward a Bill, under repeal, at the moment which said that a District Magistrate can do whatever he likes, that a person of the rank of the Deputy Secretary can raise any objection can *suo motu* claim and arrest anybody and then the Government of India had all the powers without any reference to the court. If I am not mistaken if I have some correct knowledge about it, I even heard that a petitioner who went to the court was held up under MISA and the judge was reverted. These are some of the things that have to be recapitulated before we want to repeal this Bill. It is of course, most welcome.

In this connection I would also like to invite the attention of the House to the Preventive Detention Act. I was sorry to hear from the Leader of the Opposition that he owned the excesses

committed but that he stood by the Forty-second Constitution Amendment. My submission is that it was to perpetuate those excesses that the Forty-Second Constitution Amendment came into existence. After the First and Second World War the British Parliament authorised the Government to use preventive detention and the British Government used preventive detention only in war time. But our Constitution envisages preventive detention even in peace time. If it envisages preventive detention even in peace time what was the necessity of bringing forward the MISA? What was the necessity of bringing forward such Bills knowing full well that they could take resort to such measures as even preventive detention. I am not in favour of even preventive detention. This is what even our former Chief Justice of the Supreme Court Mr Patanjali Shastri, said.

This sinister-looking feature so strangely out of place in a democratic Constitution and so incompatible with the provisions of the Preamble is doubtless designed to prevent the abuse of freedom by anti-social and subversive elements which might imperil the national welfare of this infant Republic."

It was he who thoroughly condemned even preventive detention as a sinister-looking feature, as a monster, absolutely undesirable in a democratic set-up. But he said that since we were an infant Republic let us have it for some time.

Even with this background, even with these judicial pronouncements, we had this black Act which is under repeal now and an Act like MISA. Not only this. In the Act under repeal, there was a provision that nothing can be publicised against the President, the Vice-President, the Prime Minister and the Council of Ministers in spite of their mis-doings. They were protected against acrimonious actions, indecent actions, defamatory actions and even against blackmail. What has happened to these Members of Parliament? What has happened to the citizens of this country?

Under what conditions is the House to discuss again in detail Articles 14, 19 and 20 of the Constitution? I would not like to dilate on it, but I would certainly like to say that Art 14 which guarantees equality before law and equal protection under the law cannot be protected if only the Prime Minister and the Council of Ministers are protected for any type of remarks or any type of actions. These were the contents of that harsh Bill. And then, in order to stifle the Opposition, in order to gag the working classes and in order to punish the journalists, the editors and the general public, this Bill was brought with these provisions.

Whenever there is an autocratic dictator and whenever he wants to change popular rule to authoritarian rule, the first thing he does is to give a jolt to the Press because it is the strongest and perhaps the most powerful means of ventilating and expressing opinions about the performance of the Government.

Since my time is short I don't want to enlarge on it but with this background I would support the Hon. Minister that the Bill should be repealed. At the same time, though this is not the time for me to advise the Press and though I am not in a position to do so I would certainly make this request to them. I belong to a constituency which is known in the country and abroad as one of the holiest places where the devout Hindus go on pilgrimage, namely Badrinath and Kedarnath. I belong to that constituency which is wholly known and yet is absolutely unknown, I belong to that constituency where people have gone for salvation—kings and common people alike, I belong to that constituency which is widely known Flowers (there are about 2,000 varieties of flowers) which is the Botanists' paradise and tourists' delight but that is not known to this country. So now I would request the Press of course through the Minister and the Government that they should now take a decision to find out the hidden wealth of the Himalayas. They should find

out whether it is Kubera's Alka or Indras Amaravati. This is the time when the Press should take the initiative. They should not resort to yellow journalism, they should not go after capitalists alone. They should themselves feel the need of the country without waiting for any suggestions.

If the learned Speaker would give me some time I would like to speak in detail at the time of the Budget about what there is in the Himalayas and the constituency to which I belong. But at the same time, I would like to request the Press that they should make a determined effort to find out the hidden wealth of the Himalayas and other parts of the country.

With these words I support the Bill.

SHRI K. MAYATHEVAR (Dindigul) Sir I welcome this Bill wholeheartedly on behalf of the All India Anna DMK. My Party and I consider the right of publication as nothing but the right of expression, which is one of the Fundamental Rights guaranteed under Art 19(1) (A) in Chapter X of the Indian Constitution. So this is one of the most important Fundamental Rights of the people of India and the Pressmen and I therefore welcome and support this Bill.

Regarding the freedom of the Press and censorship you have done a very good thing. This is one of the good things you have done, but there are so many kinds of newspapers being run by many kinds of people in India. There are certain papers which were started only with the intention of getting newspaper quotas or quotas of tons of white paper. They have started newspapers, which are called yellow papers only for this purpose. Those papers which have been started with the ulterior motive of getting newsprint quota should not be encouraged by the Government by giving advertisement or quota. So many papers have committed default in

[Shri K Mayathenar]

running the papers Those papers could not be encouraged by the Government

15.00 hrs

There are certain other kinds of papers which are started only for blackmailing certain Ministers, certain political parties certain leaders of the State certain leaders of the country These papers are started only to blackmail certain Ministers and thereby gain something wrongfully Such papers which are indulging in blackmailing and all other yellow papers should not be allowed to continue Such papers are there in Tamil Nadu and various other parts of the country These papers have a criminal motive a preplanned motive, they are blackmailing certain Ministers of the past. No wonder, those papers are likely to blackmail this new Government and the new Ministers also Therefore all these yellow papers should be very seriously looked into by the new Government and such yellow papers should not be given any advertisement by the Government of India or the State Governments

We cannot give an absolute right for publication in the newspapers of the news in India and throughout the world. There should be reasonable restrictions on news publication. Giving an absolute right without any reasonable restrictions will only create chaos and confusion in the minds of all political parties including the Janata Party which is presently ruling the country Therefore I warn the Government to be very careful about these kinds of newspapers and the activities by those proprietors of the papers

I request the Government to nationalise certain monopolistic newspapers which are having crores of rupees of black money This black money is dumped into the newspapers and is converted into white money

These monopolistic newspapers are run not for the sake of giving news to the public, to the masses of India but only with the objective of making profits and robbing the public of their money Such monopolistic papers are always supporting capitalistic views, they are not supporting the progressive policies but are supporting only the capitalistic or aristocratic views. Such papers should not be encouraged by the Government.

There are no safeguards for the chief editors editors sub-editors and other staff and workers, working in the newspapers These people are working day and night They should not be arrested suddenly under section 500 of the IPC for defamatory publication. Even for non-cognizable offences the chief editors editors and other staff are arrested by the police and prosecuted There should not be any such arrest all of a sudden, without a proper notice being issued to the chief editor or the Managing Director or those who are responsible for such publication Without giving such notice there should not be unexpected and sudden arrests of editors or sub editors or other staff or any worker It is my duty to bring these things to the notice of the new Government with the hope that they will consider and implement my suggestions

I would suggest that the employees of all the newspapers like labourers, sub editors editors reporters and others should be protected with all rights and privileges equivalent to the rights and privileges of the employees of the State and Central Governments There are a number of newspapers owned by private management They throw out their employees at their whims and fancies and they are in the streets They do not have money even to go to the labour court Being a practising lawyer in Madras I know this So many editors were dismissed but they could not afford to fight against the monopolistic papers I would, therefore, request that

you must guarantee their jobs and equate them with the employees of the State Governments and Central Government

Finally I would request the hon Minister of Information and Broadcasting the Prime Minister and the Central Government run by the Janata Party, that there should not be any discrimination in matters of giving advertisement to the various newspapers I request specifically that there should not be any discrimination between newspapers supporting the ruling party and the newspapers supporting the Opposition parties

We welcome this Bill. We have been supporting and we will continue to support good and progressive policies of the Government. We support this Bill whole-heartedly as I said we are sure the State Governments and the Central Government would give advertisements to all the newspapers without any discrimination. Article 14 of the Constitution says that there would be equality and equal protection of law not only to all citizens but also to all newspapers. That protection should be extended to newspapers run by the Opposition parties in any part of India including Tamil Nadu

With these words I support this Bill.

डा० रामजी सिंह (भागलपुर) । अध्यक्ष महोदय, आज से दो वर्ष पूर्व, कांग्रेस एक्टिविस्ट्स के सूचनार और प्रसारण मंत्री ने जब यह बिल सदन में प्रस्तुत किया था तो उनके सामने बहुत से लोगो ने बहुत तरह की बातें कही थीं । उस समय उन्होंने यह दावा किया था कि अगर यह बिल नहीं लाया जाएगा तो देश में जनतंत्र समाप्त हो जाएगा । वे यह कहते थे कि प्रेस वाले आपत्तिजनक बातें लिखते हैं इसीलिए उनके ऊपर नियंत्रण होना चाहिए । लेकिन जब यह प्रश्न उनसे पूछा गया कि किसी प्रेस

की स्वतन्त्रता पर नियंत्रण करने का माप-दण्ड क्या होगा और कौन व्यक्ति यह निर्णय करेगा कि यह आपत्तिजनक है या नहीं तो उनके सामने कोई उत्तर नहीं था ।

बैसब यह कहा गया था कि कोई जिला कनेक्टर या उसने सनकण रेव वाला अफसर करेगा । इसका अर्थ सचमुच में यह होता है कि हमारी स्वतन्त्रता का, प्रेस की स्वतन्त्रता का नियमन और नियंत्रण एक दृष्टि में एक छोटा सा अफसर करेगा । लेकिन आज कितनी बड़ी बात की जा रही है । आज हम बड़ी खुशी है कि यह जो प्रेस की स्वतन्त्रता का बिल मंत्री महोदय ने पेश किया है इसमें सभी ओर से स्वागत और समर्थन दिया जा रहा है । अगर प्रेस स्वतन्त्र रहता है और उसकी स्वतन्त्र रहना चाहिए तो मैं नहीं समझता हू कि इसका विरोध होना चाहिए । अगर य लोग सब स्वतन्त्र होते तो उस समय भी उस बिल का हानि समर्थन नहीं करे जो प्रेस पर पाबन्दी लगाई गई है । यह बहुत बड़ी बात है । उस समय कहा गया था

This is delegation of responsibility

यह कहा गया था कि हम तो यह उत्तरदायित्व दूसरों की ओर रहे हैं । लेकिन सचमुच में यह उत्तरदायित्व किसी पर सौंपना नहीं था बल्कि उत्तरदायित्व का ही अन्त करता था ।

This is not delegation of responsibility but abrogation of responsibility

हमारे यहां छोटे छोटे पत्र भी छपते हैं । जब इनकी चर्चा की गई तब तुरन्त हमारे माननीय सदस्य ने कहा कि यहां यलो जल सिग्न की बात है । लेकिन जब प्रेस ने लोपा ने आचार सहित बना ली थी तो क्या बजह थी कि कानून की यह तलवार उन पर सटकाए रखी गई थी ? मैं समझता

[डा० रामजी सिंह]

हू कि इस तरह के कानून को रखना उनके अन्दर भय वा सवार करता था। उस भय के वातावरण में आदमी सचमुच में जनतंत्र की कीमत समझ नहीं सकता है। भय और जनतंत्र परस्पर विरोधी बातें हैं। वे दिन समाप्त हो चुके हैं जब हम किसी एक नेता की बात में हा में हा मिलाया करते थे।

We do not want to follow that "leader concept" now either on that side or on this side

में समझता हू कि सचमुच में भारत में एक नए गणतंत्र की स्थापना हुई है। इस नए गणतंत्र में भय वा कोई वातावरण नहीं है।

सत्त्वशालीन प्रसारण मंत्री ने जब यह बिल पेश किया था तो कहा था कि चक्रवर्ती राजगोपालाचारी भी इस तरह का बिल लाये थे। लेकिन उनको मालूम होना चाहिए कि ऐसा कह कर उन्होंने राजाजी के साथ न्याय नहीं किया। उनको राजाजी का नाम तब में भी तब सकोच नहीं हुआ था, इसको देख कर दुःख होता है। राजाजी तो अभिव्यक्ति की स्वतन्त्रता, प्रेस की स्वतन्त्रता के हिमायती रहे हैं। जब उन्होंने ऐसा कहा तो लगता था कि डीविल डिक्लेरेशन कोट कर रहा है। सच बात तो यह है कि वह जो प्रेस के ऊपर उन्होंने पाबन्दी लगाई यह पाबन्दी उन्नी प्रकार की थी जिस प्रकार की ब्रिटिश सरकार ने बहुत पहले अपने राज्यकाल में लगाई थी और बिल नैजिस्लेटिव असम्बली में पेश किया था। उस समय अंग्रेजों ने जो बिल पेश किया था और जो विचार व्यक्त किए थे सगभय वही विचार और वही शब्द कांग्रेसी प्रसारण मंत्री ने व्यक्त किए। दोनों के उद्देश्यों में बहुत कुछ समानता है। ब्रिटिश काल में जब

बिल लाया गया था और जा उसका उद्देश्य था वह इन शब्दों में बताया गया था

"to bring into hatred or contempt His Majesty or the government established by law in British India or the administration of justice in British India or any class or section of His Majesty's subjects in British India or to excite disaffection towards His Majesty or State Governments"

कांग्रेस सरकार ने भी करीब करीब वही शब्द और पकितया रखी थी

"to bring into hatred or contempt or excite disaffection towards Government established by law in India or in any State and thereby cause of or tend to cause public disorder"

शुक्ल जी ने उस समय कहा था कि इसका एमरजेंसी से कोई सम्बन्ध नहीं है। तब कुछ हमारे दक्षिणपन्थी साम्यवादी भाइया ने भी कहा था कि सचमुच में अवप्रकाश नारायण जो चाहते थे कि पुलिस और फौज बगावत कर और उसके लिए वह उनको भड़काना चाहते थे। लेकिन इन लोगों ने उनकी बात पर ध्यान नहीं दिया। अगर ध्यान नहीं दिया तो फिर इस बिल को साने की उनको आवश्यकता क्यों महसूस हुई? जनतंत्र में समा की जिम्मेदारी लेने वाला आदमी सब से ज्यादा गैर जिम्मेदार होता है। जनतंत्र में प्रत्येक व्यक्ति स्वतंत्र और समान होता है। लेकिन शुक्ल जी के बयान को जब हम देखते हैं तो उन्होंने उस में कहा था कि जनतंत्र में मिनिस्टर की सभी की जिम्मेदारी लेनी होती है और इसलिए अगर कोई गैर जिम्मेदार हो जाए तो उसकी जिम्मेदारी हमारे ऊपर है।

इस से यह कर के इतिहास में प्रवचना और कोई नहीं गुनी गई है। और इसीलिए सचमुच में यह जो हमारा सान दिन का लोक

सभा का अधिवेशन हुआ है यह स्वतन्त्रता का एक गौरवमय सप्ताह रहा है। हमारे माननीय सूचना मंत्री ने जो यह बिल पेश किया है वह स्वतन्त्रता के पहली निशान है। इसलिए मैं उन्हें बधाई देता हूँ आज लखनऊ में हम स्वतन्त्र भारत में स्वतन्त्र रहिये की प्रणाम कर रहे हैं।

SHIRI SOMNATH CHATTERJEE (Jadavpur) Mr Deputy Speaker, Sir, it was expected that the Leader of the Opposition would have been here to undo the wrong that had been committed during the period of emergency. The Leader of the Opposition was given the facility yesterday to broadcast over the All India Radio. The whole atmosphere of the country has changed and we must congratulate the Government for having come out so soon to remove this monstrosity on the statute book which has defiled not only the precincts of the House but the Constitution of India by incorporating this black Act into the Ninth Schedule of the Constitution. I am glad that the Government has come forward to redeem the pledge given to the people. The previous Government kept itself propped up by calculated misuse of constitutional provisions, took recourse to repressive laws which reached the pinnacle of infamy, when they brought the package of legislation for abolition of the Press Council, the Parliamentary Publication Bill, they nullified the Feroze Gandhi Act and they brought in this Act which we are repealing now. They wanted to avoid all scrutiny of their actions—scrutiny by Parliament, scrutiny by Press and scrutiny by the courts. They declared a war on the people of the country. They declared a war on their political opponents. All this flowed from an attitude of infallibility. They thought that they could never go wrong. They thought that they were the masters of the people and not the people the masters. That was the attitude displayed by the Bill which we are repealing today.

We are glad that the Congress Party has today realised the mistake which they have committed. Today they are giving their unflinching support to the repealing Bill. It is really strange that they had mortgaged their conscience then. If they had felt that the law should not have been there they ought to have mustered the courage to speak against it, and not just to toe the line of one-and-a-half persons ruling the country at that time. The people have thrown out those people responsible for this outrage on the freedom of the press and on the freedom of speech. The people have thrown them out as garbage into the dust bin of history. This will be a lesson to everybody. It shows to all that the people's voice cannot be silenced for ever.

Sir Mr V. C. Shukla whom we now hear or find in the papers to be one of those belonging to the Sanjay Caucus a new expression, when he piloted the Bill last time, which we are repealing to-day said that the Bill was meant to fortify those people who believe in discipline. The previous Government was saying that they were the sole repository of self discipline. What did they do during the 20 months of this discredited emergency? They had discarded all norms of propriety, they committed gross acts of indiscipline by outraging the Constitution by annihilating all freedom by muzzling all expression of public opinion. Sir, I feel that no disciplined Government could have earned on with these series of acts of impropriety, both constitutional and public, which they had done. At that time they were talking and giving lectures to us on discipline or sense of discipline.

Also, Sir what Mr Shukla then said was this. I believe the lesson has been learnt—I do not know whether it has been learnt or not. He said

"Those people who believe in healthy journalism, those people who believe in constructive criticism, those people who believe

[Shri Somnath Chatterjee]

that the press is an integral part of democracy that the healthy democracy depends upon the health of the press and the health of the press depends upon the health of democracy they will definitely support this measure"

This was the statement of Mr. Shukla. But they had equated the country with an individual and democracy, according to them, depended on the whims and caprices of an individual who was placed in the same pedestal as the country was. And that is why their entire viewpoint was perverted they lost all sense of outlook and discipline which they were drumbeating. Whatever was being said or they were made to say was a theory which I call a pernicious theory adopted in those days. Those who would not stop to the depth of sycophancy were according to them not patriots or were anti-nationals and that those who do not belong to that group would not be allowed even to speak out their minds in this country. Sir, we have seen the result. The result is that the people have totally rejected them.

Having muzzled the voice of the people having taken away the right of personal liberty having banned all the meetings and processions and having gagged the press, freedom of the speech and having kept Members of Parliament in detention for an indefinite period, having let loose the reign of terror in this country they wanted to continue with their hegemony over the people with their perverted notions of discipline which was sought to be adumbrated in the law which was enacted on those days and which was used against the Opposition.

Sir the framers of the Bill had also said that for the purpose of controlling the press it was necessary for them to have that Bill. What was

the object with which they came forward with the Bill with the concept of objectionable matter I am sure you are all aware of what was meant by objectionable matter. They have said that criticism of any statement derogatory to the Prime Minister or the Speaker or the President would be treated as an objectionable matter. I believe that the real objective was to protect the Prime Minister and the Speaker and the President were brought in to give company to the Prime Minister. It is obvious. The real objective was to put a particular person above all law. Nobody can even criticise and even honest criticism would not be permitted. Today what we see is this. The Congress people were kept out of the mainstream of the people's reactions, people's views and that is why they could not realise what the people were really thinking.

The object was something else. What justification was there? They said that the press was trying to abuse their so-called freedom. Sir there are laws in the country—Penal Code is there and there are other laws that are there. The DIP was then functioning. With all these repressive laws and with all the powers to control the so-called indiscretion of the press and the journalists, they were not satisfied still they brought forward this Bill. They could have taken action against them under the other laws. But they would not stop there. They wanted a law which would completely put the press under the control of the Executive—the Executive of that arrogant nature which we have seen during the emergency. We have also seen that whenever anything was raised in this House any criticism was made however justified it may be it was dubbed as character assassination. When the question of Maruti was raised, it was characterised as character assassination. When we raised the question of Rs 60 lakhs spirited away from the State Bank of India, it was dubbed as character assassination.

When we raised the question of Pondicherry licence scandal it was dubbed as character assassination. That is how they wanted to keep them away from all criticism and the best thing they did for themselves was to muzzle the press so that the press should not even raise a voice of protest or write a line in justified criticism of the action that was being taken. Not only this country was equated with an individual the entire process of administration was to serve the interests and now it is apparent, the personal interests of one individual and her family and that is why the country today has given a real lesson and I hope they have learnt it. Today I believe my friends on the Congress side come and support it because they had also become the victims of it. I am sure they now realise how decimated they have become, how they had denigrated themselves and thereby denigrated the people of this country denigrated all the process of democracy in this country by keeping quiet and toeing the line and trumpeting the so-called achievements of an individual and the family.

Today I am happy that Mr Advani is undoing a deliberate attempt that was made by the previous government to create a privileged class of people in this country like the Prime Minister and those other persons. Sir, it had been included in the Ninth Schedule. The object was that they knew that this law could not be sustained in any court of law once the emergency was over. That is why it was put in the Ninth Schedule so that no attack would be permitted and nobody could doubt that that is a law which could not be sustained under the Constitution of India.

A personality cult was developed it was practised and the whole administration was utilised for that purpose. The Parliament I am sorry to say was reduced to a state of rubber stamp organisation although I was

part of it I could not help it. It was converted into a rubber stamp Parliament consisting of a majority of 'yes men' and as I said in the other House, with their tongue tied and their conscience mortgaged, and these people were sitting on that side at that time. They had allowed themselves to become complete yes men and bench men of an individual in this country. Today having realised the mood of the people they are coming and supporting this repealing Bill.

I want to say only one thing. I hope they have learnt the lesson of their life but that lesson is the lesson of the democratic spirit of the country. The democratic urges and aspirations of this country that the people of this country will never submit themselves permanently to an autocratic regime and an authoritarian regime. So far as our Party is concerned there have been various distortions about our activities in the past but still we believe that the freedom of press is such a cherished principle that we should always support it even if there are pitfalls here and there and that the best thing to ensure will be a conscious public opinion which will be a vocal public opinion. But you cannot compromise on the question of freedom of speech and freedom of expression. If we lose freedom of speech and freedom of expression then we will lose the best part of our life when we subjugate ourselves to a feeling of imprisonment of our minds and of our views which we cannot tolerate and that is why we opposed the previous Act and we strongly support this Bill and I congratulate Mr Advani for coming with the Bill so soon during the first Session of this House.

SHRI P. RAJAGOPAL NAIDU (Chittoor). Sir the Minister is moving for the repeal of the Prevention of Publication of Objectionable Matter Act. I want to clear some of my doubts. I want to know whether the Government wants the freedom of

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SHRI P. RAJAGOPAL NAIDU (Chittoor) Sir the Minister is moving for the repeal of the Prevention of Publication of Objectionable Matter Act. I want to clear some of my doubts. I want to know whether the Government wants the freedom of

[Shri P Rajagopal Naidu]

the monopolist proprietor of the press who wants to control the production, distribution exports and imports and the life of the people and to utilise the press to promote his own interest or whether the government wants the freedom of the editor who knows the problems of the people and who wants freedom to propagate his views. I want to know whether the government wants unrestricted freedom of the press or whether they are going to lay down some restriction. Unrestricted freedom is nothing but licence as Mr Hegde himself knows. I want to know whether the government is going to create an independent agency to give advertisements to newspapers or whether it will keep this power in its own hand so as to keep all the newspapers under its thumb and have the liberty to dictate to the newspapers. If the government clarifies the position in regard to these points it will be better for the people and for the country.

श्री भार० एल० पी० वर्मा (कोशरमा) :

समापति मंत्री का जहाँ तक प्रेस का प्रश्न है उसमें व्यक्ति की अभिव्यक्ति की स्वतन्त्रता मिलनी ही चाहिए और इस में किसी तरह की बाधनी अगर होती है तो मौलिक अधिकार का हनन होता है। इसलिए इस प्रावधान में यह पूरी छूट होनी चाहिए ताकि हर तरह के विचारों का स्वतन्त्रतापूर्वक हम व्यक्त कर सकें।

दूसरी बात कि कभी कभी प्रेस में बहुत सी सेंसरशिप पावन्टिया इस तरह की होती हैं जो नागरिक जीवन या सामाजिक जीवन आर्थिक जीवन पर किसी तरह का आघेव होना है, वह जरूरी होना है समाज के लिए तो बेसी परिस्थिति में बेसी पावन्टि नहीं लगनी चाहिए।

SHRI S. KUNDU (Balasore) Sir I rise to support the Bill which has been introduced to repeal one of the

most Draconian laws we have ever seen. Gandhiji gave us freedom and also freedom of speech. I am astonished that those who have been singing the songs of Gandhiji and preaching what he taught to the nation have themselves been the authors of this black law. We were in jail when this law was enacted by this Parliament. We were simply horrified when we came to know about it. If anybody has a cursory glance at the provisions of this Act he will wonder what has happened to the country. Anybody could be got and his press and other property could be forfeited in the name of security. Not only the editor but the owner, the keeper and everybody could be hauled up. Earlier the law had given some advantage that at least the aggrieved party could go before a judicial magistrate. But in this law which we are going to repeal, the entire jurisdiction was taken over by an officer who will be appointed by the Government. Under this law anybody can file a prosecution before that officer and that officer will come and pounce upon the press. If the ruling party wants to harass its opponent even this thing could be done through a constable. I thank the hon. Minister that he has brought this Bill to repeal this Act.

I remember long ago in the British days when Lord Lytton was the Viceroy in 1889 he had passed an Act called Vernacular Press Act. At that time Tagore was a young boy and he was writing poems eulogising the national cause of independence. That was not tolerated by the Viceroy and he passed the Act. That was a very obnoxious Act whereunder the proof of the matter which was intended to be published would have to be examined by the Government. At that time there was so much of protest against this Act that after some years Lord Rippon was forced to withdraw that Act. From this we came to 1947 when we had our freedom. But after thirty years of our independence I

never imagined that there would be such a horrible Government which would pass an Act which would be much worse than Lord Lytton's And these very Members who were sitting on the Treasury benches at that time kept their mouth shut I think they have done the greatest harm to this country We live and work together may be there is a difference of opinion because of our party ideologies but we have taken oath to maintain the democratic norms in this country We have burnt the vessel of democracy, we have burnt the torch of democracy We want that this torch should be taken to dark areas around where there is no democracy where there is authoritarian Government We should throw light on them so that democracy would also start functioning in those countries not by force but by our own action But unfortunately, in Gandhiji's country when many people were behind the bar these people were responsible to see that the entire light which the torch threw around was extinguished This is a great curse on the name of Gandhi and those who swear by the name of Gandhi

Today in the Question Hour, I have said that it is necessary that the world must know as to what had happened during this emergency and how the press was muzzled how its throat was throttled and why the press could not function independently In all these things, a full enquiry is necessary We will not live in comfort by saying that we have repealed this Act but we have to dig out all the earth that laid the basis for this draconian legislation Therefore I would say that the Minister should come forward and make an inquiry into the conduct of those persons who were responsible for muzzling the press and making the Information and Broadcasting Department an instrument of ugly propaganda Therefore I would again re-iterate the demand that the Minister will do a great service to the cause of democracy if he

agrees to institute an inquiry into the whole gamut and find out who are the people who were responsible for these things what was the object in doing it, whether they slowly and gradually wanted that this country should be completely turned for ever into a dictatorial country

Now the point is what should be the nature of the press We want a free press no doubt But we want the press to be vibrant and really free The press must project the hopes and aspirations of the teeming millions of our country We do not want that the press should speak about the rich of this country We also do not want that the press should be controlled and monopolised by a few big industrial houses We heard of course while we were in the jails that there was a big talk against the monopoly Press This is what the All India Radio said We used to hear that this monopolist Press did not give any publicity to Indira Gandhi government's good deeds or to the 20-point or 25-point programmes Indira's government came down with a heavy hand on the Press Within a period of 2 or 3 months we heard that the monopoly Press was given a good chat, and that they behaved in a nice way During these months the monopolists increased their assets, and particularly during the last budget they received many concessions During that period we heard that the monopoly Press was behaving better and that they had become good boys They got chats from the former Minister Mr Shukla and Mrs Indira Gandhi

Mr Deputy Speaker, Sir, do you know of such a horrible, naked and opportunist policy ever being pursued by any government? If we say that only Goebbels the propaganda minister of Hitler could have competed with this sort of propaganda we will be wrong Some friends are sorry that we are saying this. But tell us where and how we are wrong I thank our new Minister Mr Advani who

[Shri S Kundul]

also said that he will go into the entire gamut of monopoly holding of the Press. He said this in answer to a Question. As far as I know one of the largest circulated dailies in Japan Asahi Shimbhun is run by a cooperative of working journalists. They are people who work in that firm. We have to consider whether it would be possible in India to try to have the co operative sector taking the working journalists and the people who work in the press. If it could be done we will make another big advance in maintaining the freedom of the press from the power and influence of the monopolists who are now ruling supreme. I hope the Minister will give the assurance that he will take quick steps in this direction.

Finally a word about the small newspapers. The small newspapers and periodicals are in a very miserable stage. If we want to maintain the freedom of the press we must see that the freedom is really exercised. If we do not give some advantages to the small newspapers and periodicals which are spread over the small cities and villages of this country this freedom would not be really meaningful. I am not going into the details as to how and where it should be done because there are various aspects which should be taken into consideration.

Lastly I want to thank you for giving me this opportunity.

SHRI VAYALAR RAVI (Chirayin Kil) Mr Deputy Speaker Sir at the outset I must admit that I was a member of the Lok Sabha and I was a party to the passing of this Bill. I have no hesitation to admit that this Bill was not necessary.

SHRI K. S. HEGDE (Bargalore South) So you were wrong in supporting it?

SHRI VAYALAR RAVI I am glad the hon. Minister Shri Advani has

come forward with this Bill to repeal the old Act.

There has been so much talk about the freedom of the press. This House has debated this question any number of times. Whose freedom do we mean by the freedom of the press? Is it the freedom of the owner of the newspaper to express his view?

1548 hrs

[SHRI S. D. PATIL in the Chair]

SHRI K. S. HEGDE Was it the freedom of Mr Verghese or the freedom of Mr Birla?

SHRI VAYALAR RAVI Neither the freedom of Mr Verghese nor the freedom of Mr Birla. The aspirations of the people have to be expressed through the newspapers. It has to be in the vanguard of democracy.

PROF. DILIP CHAKRAVARTY (Calcutta South) How do you defend the arrest of journalists?

SHRI VAYALAR RAVI I am not defending it. At the same time I am proud to be a Congressman. There is no doubt about it.

SHRI K. S. HEGDE He is unbending himself.

PROF. DILIP CHAKRAVARTY Perhaps not the same Congress as was led by Mrs Gandhi.

SHRI VAYALAR RAVI I know his sojourn there will not be long. I have no doubt that he will come to this side one day. His honeymoon is only temporary; it is only a sojourn. I am very sorry for him. (Interruptions) That party had to compromise on so many things. They could not send even a single member here from my State for the first time. Even the seat of the veteran freedom fighter Shri A. K. Gopalan had been captured by the Congress.

AN HON MEMBER What about UP?

SHRI VAYALAR RAVI We are aware of it. That is why we are sitting on this side. But why do you say we have lost? Why are you so afraid of us even today?

I know that fear is there in your mind that you will be overthrown. I have no doubt about it. You criticised our mistakes. Please try to do right things. Please do not try to come to this side.

As far as Birla papers are concerned they abused the Congress Government and asked the Press to abuse the Congress Government during elections. There should be freedom of the Press and not for owners of the Press. We should give more freedom to the people who are working there. In this connection I would request the hon Minister to consider the participation of the employees workers and the journalists in the newspapers. They must have a big say in the ownership and management of the newspapers. You give a little more freedom to the Press. Otherwise they would always be under the control of the management. We have not done it, we have not done so many other things. I am not standing here to say this thing or that thing. If my conscience says I will definitely admit what my party has done or what my party has not done.

SHRI K S HEDGE What did your conscience say at that time? (Interruptions)

SHRI VAYALAR RAVI Your conscience made you to resign from the judgeship and fight elections even though there were allegations. He used his position to conspire against the Prime Minister. Fortunately he has been elected as Member of Parliament. (Interruptions) Please do not interrupt me. I know what you were. I know your past history.

AN HON MEMBER Do not get angry

SHRI VAYALAR RAVI I am not becoming angry. Do not think that everything is all right. I can speak for hours together regarding S.V.D. Government in 1967 including Mr Charan Singh and others who were in UP and M.P. I can speak about it but I do not want because I know that they are in power we are not in power. We could not fulfil the promises made to the people or we have made mistakes. Why are you afraid of this today?

This Act had infringed the freedom of the Press and curbed the freedom of the journalists to write whatever they felt to write. I agree with it. But at the same time I hope the Minister will request the journalists of the newspapers that they should play a responsible role in democracy. I will be happy if they criticise the Government and the Opposition but that criticism of the Government and the Opposition should be constructive. That purpose has to be achieved. Even though this Bill is a repealing one I hope the hon. Minister and the present Government will be able to achieve that objective as to make the journalists and the newspaper industry more responsible and to make constructive criticism on the activities of the Government and their machinery.

Regarding the policy announcement made by the hon Minister today morning during the Question Hour that his Ministry will encourage the medium and small newspapers and that the advertisements and other things will be given in such a manner to help the regional or the vernacular newspapers, I believe the previous Government also followed the same policy. I would say that the Government should have a thorough look into the matter and also see at the same time that the newspapers do not begin to make money. There is a tendency in big cities and in certain areas to

[Shri Vajalar Ravi]

evening news daily with a circulation of 500 or 1000 copies get newspaper quota and sell it thereby making a lot of money. This is a very bad practice. It is still continuing in different parts of the country. The Government should not encourage such a tendency in the journalistic world.

Lastly, I would appeal to the Government to have a look into another matter. There was an attempt made by the previous Government to diffuse ownership of newspapers. There was a proposal by the previous Government but I admit, that it was shelved for two or three years. I hope, the hon. Minister Mr. Advani will have a fresh look into the matter of diffusion of ownership of newspapers. If he can bring forward such a measure, it will be a credit to him. I hope, he will do it.

With these words, I support the Bill.

श्री उपसेन (देरिया) : बन्त इसने कि मैं इस विधेयक पर अपनी कुछ राय आहिर करूँ मैं मंत्री महोदय का शुक्रिया भदा करता चाहता हूँ, उन को बधाई देना चाहता हूँ कि उन्होंने जनतंत्र की जड़ों को मजबूत करने के लिए इस बिल को पहा रखा है। विगत 19 महीनों में जनतंत्र की जो बड़िया टूट गई थी उनको ऐसा करने उन्होंने फिर से जोड़ने का काम किया है।

मैं अपने लायक दोस्तों की बातों को सुन रहा था, डी० एम० के० के माननीय सदस्य की बात को सुन रहा था। जब मैं जेल में था तब हम वहाँ मुलायम किया करते थे। वहाँ पढ़ा गया एक शेर मुझे याद आ गया है और उस शेर को मैं आपने

जरिए अपने लायक दोस्तों को मुनाना चाहता हूँ।

“जो भी भ्रजाम हो भ्रजाम की परवाह नहीं

हाथ पटुवा तो सितमण्ड के गेरवा के करीब।”

मैं समझता हूँ कि इतनी बड़ी बात नहीं है जिसने बारे में हमारे घन्टा डी एम के के दोस्त सारा एक्किम, सारा मानिसेज्म का क्लासिक्स निकाल कर पहा रख दें। मुझे अपनी इस छोटी सी जिन्दगी में समाचारपत्रों के प्रमुख लोगों से मिलने का मौक मिलता। शम्भू प्रानिकल के मि० देहलवी, श्री, प्रेस जनरल के श्री सदानन्द, नैशनल हेराल्ड के श्री चलपति-राव आदि एडीटरों को मिलने का मुझे सौभाग्य प्राप्त हुआ है। मुझे मालूम है कि नैशनल हेराल्ड के एडीटर जब उत्तर प्रदेश की सरकार के खिलाफ कुछ छावने थे तो वहाँ के मुख्य मंत्री नाराज हो जाते थे। वहाँ के कांग्रेसी लोग कहते हैं अखबार को तो पंडित जवाहर लाल नेहरू ने बनाया था 1936 में और इसने एडीटर चलपति राव को कैदें निकाला जा सकता है। लेकिन अब आप देखें कि इन पिछले 19 महीनों में क्या क्या अखबारों में छप कर निकला करता था। मैं तो भीता के अन्तर्गत बन्द था, प्रिजनर था, जेल में था, देरिया से बरेली मुझे ले जाया गया, मुझे कुछ पढ़ने को भी नहीं मिलता था। जलर साहब से कहता था कि अखबार दें और जो भी

अखबार दिए जाते थे उन में प्रधान मंत्री श्रीमती इंदिरा नेहरू गांधी की बात छपती थी या फिर मुबराज की छपती थी और कभी कभी बहामा साहब की बात छप जाया करती थी। मैं अन्ना डी एम के साथियों से पूछना चाहता हूँ कि क्या यही वे पढ़ना चाहते थे और जो दूसरे लोग पढ़ना चाहते थे या कहा करते थे, उनकी बात को वे पढ़ना नहीं चाहते थे? क्या इसी तरह की आजादी वे चाहते थे? सरकार ने इस दौरान अखबारों की आजादी का कुचरने की हर तरह से कोशिश की, उनका गला घोटने की कोशिश की। यह कोशिश कहा से की जाती थी और कौन व्यक्ति इसने लिए जिम्मेदार थे? इशारा तो नम्बर 1 सफदरजंग रोड से हुआ करता था क्योंकि सभी नहरे और नदियाँ वहाँ से चलती थीं, मगर इस के लिए दो लोग जिम्मेदार थे—एक श्री विद्या चरण शुक्ल और दूसरे मोहम्मद मुनुस। “बड़े मिया सो बड़े मिया, छोटे मिया मुनाहनमल्ला।” सारी दुनिया में मुनुस साहब घूमते थे। नान-एलाइन्ड प्रेस ब्यूरो का बैठक काहिरा में ही रही है और वहाँ वह भाषण कर रहे हैं कि प्रेस को डिसिप्लिन्ड होना चाहिए। मुझे पता नहीं कभी उन्होंने समाचार पत्रों में काम किया है कि नहीं। मैंने तो काम किया है और मैं कहता हूँ कि अगर समाचार पत्रों की आजादी जो छीन ली गई थी अगर उस आजादी को न दिया जाता तो देश का पता नहीं क्या होता। हम लोगों को जेल में यहाँ के अखबार नहीं मिलते थे, मगर बाहर के अखबार हमारे पास आ जाते थे। एक अखबार लन्दन से लाला हरदयाल सिंह निकालते थे “स्वराज्य” उस अखबार को पुनः हमारे साथियों ने लन्दन से निकालना शुरू कर दिया था, जब वह हमारे पास आता था तब हमको लखनऊ, पटना और

दिल्ली की खबरें मालूम होती थी। देहात में तो लोग कहते थे कि बी० बी० सी० सुनों और सुनते थे थे क्योंकि आवागवाणी इन्दिरावाणी हो गया था।

16 00 hrs

तो मैं कहना चाहता हूँ कि यह जरूर है कि अगर लोकतन्त्र हम चाहते हैं तो प्रेस की आजादी देनी पड़ेगी। प्रेस की आजादी को आपको अक्षुण्ण रखना पड़ेगा, इसमें दो राय नहीं हो सकती है। हमारे मित्र ने मोनोपली हाउसेज की बात कही। मैं तो समाजवादी हूँ और मोनोपली हाउसेज के बहुत खिलाफ हूँ। 40 वर्ष तक हम इस के खिलाफ लड़ते रहे। मगर उन के महा जो एडीटर काम करते हैं, श्री कुलदीप नायर या श्री बरधोज, वह तो नॉनपॉलिस्ट नहीं हैं। कुलदीप नायर को भी पिछली सरकार ने मौसा में बन्द कर रखा था और श्री बरधोज को इन्दिरा जी ने बंद करने से बिडला जी ने निवाह दिया था। अगर उनको आजादी होती या वह उसके खिलाफ अपनी कलम से लिख सकते थे। मगर ऐसा नहीं कर सके। हमारे कम्युनिस्ट भाइयों के नेता श्री लेनिन भी मजदूरों के नेता थे जिन्होंने ‘इसकारा’ नाम का पत्र निकाला था जो बाद में चलकर “प्रावदा” कहलाया। प्रावदा का मतलब होता है सच्चाई। सच्चाई को आवाज अगर उस में लेनिन उठा सकता था तो यह के पत्रकार क्यों नहीं सच्चाई को आवाज उठा सकते हैं? उस सच्चाई को पूँजीपतियों का हज्जा खंड, करके देवाया नहीं जा सकता है।

हमारे लायक दोस्त ने कहा कि जापान में दो बड़े पत्र हैं—“आसाही” और “शिम्बून” जिन का प्रबन्ध वहाँ के कर्मचारियों की सहकारी समिति करती है। अगर उस तरह की व्यवस्था आप

[भा उपवेन]

यहां भी लागू करेंगे तो हम आप के साथ होंगे। आप इस बारे में थिन साथें हम उसका खुलकर समर्थन करेंगे। रिटर्न गारंटी न जा जाना कानून बना दिया या उस को हटा कर के प्रायः प्रेम प्राजाद हुआ है ताकि सही बातें उनमें छपें। मंत्रिमंडल को अपना सम्पादकीय निबन्ध ले प्राजादी हो, इसमें आप हमारा साथ दें ऐसी मेरी प्रार्थना है। इस विधेयन की हमारे बहुत से विरोध पक्ष के सापिणों ने तार्किक की है यह युक्ति की बात है।

16 03 hrs

[SHRI TRIBH CHAUDHARI in the Chair]

समाजिक महोदय, हमारे यहां दो प्रायोजी के ग्यूस मीडिया थे, एक यू० एन० आई० और दूसरा पी० टी० आई० और दोनों तरह दो हिन्दी के ग्यूस माडिय थे— समाचार भारती और हिन्दुस्तान समाचार। इंगरजेंसी में जो कॉन्ग्रेस सरकार ने सब से बड़ा पार किया सारी सत्ता इन के हाथ में घनि हो वह यह कि इन चारों ग्यूस एजेंसीज को मिला कर के एक कर दिया और एक कर के जो समाचार एजेंसीज के बड़े बड़े मण्डलान थे यू० एन० आई० और पी० टी० आई० के मण्डलों को बड़े बड़े पद दे दिए गए। लेकिन जिनने छोटे छोटे कर्मचारी थे यू० एन० आई० और पी० टी० आई० के उन का बन्धे-माम किया गया। मेरे पास उनके प्रस्ताव है उन्होंने जनता सरकार का स्वागत किया है। कांग्रेस सरकार ने उन छोटे कर्मचारियों को इस तरह परेमान किया कि जो हिन्दी जानते थे उनको हंदराज भेज दिया कि वहां जा कर उर्दू में समाचार लिखें। जो उर्दू जानते थे और मसूदा में थे, उनको पटना भेज दिया गया और कहा गया कि हिन्दी में लिखें। कहीं कुछ देखा नहीं गया कि बच्चे वहां

हैं। जो पी० टी० आई० सचनऊ में थे, बड़ पत्नी पर थे, शहरों को रिपोर्ट दिया करते थे, उनकी प्रागता भेज दिया गया। उनकी प्राय पूरा अधिपार था कि दुनिया में घूम घूम कर प्रेम की प्राजादी की बात करते थे, प्रेम की टिप्पिनन सिगाते थे। मैं चाहता हू कि इस प्रवृत्ति से प्रायः घन कर जब उसने लिए कोई कानून या विधेयन हम सदन में लायें तो पूरे परम्परापर पर विचार कर काम करें।

मैं यह भी कहना चाहता हू कि यहां पूजीवाद का प्रश्न नहीं उठता है, प्रेम गुलाम हो गया था, लोभनन्द ब्रजन में था, पित्रे में था, जेल में था। इन लोग मगर भीता में जेल में प्रीजनर थे, तो प्रेम की प्राजादी भी प्रजाद बदतर हालत में थी। माननीय मंत्री जी ने प्रेम की प्राजादी की रिहा किया है जो कि जेल में बन्द थी, सात बिले में बन्द थी। वह हमारे मुनिया और बधाई के पात्र है।

इन शब्दों के साथ मैं इस विधेयन का समर्थन करता हू।

PROF P G MAVALANKAR (Gandhinagar) Sir, I am very happy that this short and significant Bill has come in this very first, the inaugural session of the new Sixth Lok Sabha. I am also very happy that this Bill is being piloted by my esteemed friend, Shri L. K. Advani, who, with his clear headed and level-headed approach, not only has been piloting this Bill—and will be piloting the one which is to follow—but also has been piloting a new, bold and prompt policy of restoring everything in terms of processes of democracy. I would like to start by congratulating him and the Janata Government for taking these initiatives in the very early days and weeks of

their Government. I would also like to congratulate the Minister for this briefest Bill. Of course brevity is the soul of wit. But I wish that apart from being brief this Bill had also spelt out to some significant broad extent the manner in which Government would go about safeguarding as has been said in the Statement of Objects and Reasons the freedom of the press.

One of the major election promises has thus been honoured and this is being honoured within days of the election heat and fervour which are still not over. Normally election promises are never meant to be fulfilled not only in India but in many parts of the democratic world this has been the position. Therefore I would say with pleasure and pride that for the first time in India the election promises one after another are being fulfilled and honoured both in letter and in spirit. I feel very happy and proud as a citizen and as a Member of this hon House to acknowledge this attitude of the new Government.

The Statement of Objects and Reasons very briefly and rightly says

Freedom of the press is necessary for the successful functioning of democratic institutions

I would go further and say that not only is it necessary but freedom of the press in a democracy is vital, crucial, decisive and indispensable. It was Thomas Jefferson one of the great American democrats of the world for all time to come who once when he was asked as to what he would choose between a government without a free press and a free press without a Government said that he would have no hesitation whatsoever in choosing the latter i.e. a free press without a government because according to him as long as there is an assurance of a free press to the people of his country that is America, where free press was continuously and freely available to the people then the possibility of a free government is also there. But if there is a government without a free press,

then you will have neither a good government nor a free press. Therefore free press is vital to the functioning of a democracy. That is why, it is said that a free press is the fourth estate indeed free press is a part of a free democratic government. No democratic government no free government is complete without a free, vigorous critical press and press meaning both newspapers and periodicals and viewspapers.

Free comments and critical editorials in various newspapers, dailies, weeklies, bi-weeklies, monthlies and journals and periodicals are very essential. As the great editor of the then Manchester Guardian Mr Scott said once "Facts are sacred but opinions are free." Let the people get all the facts in a free manner but let the opinions be respected as sacred properties of those who write and comment upon those facts and therefore these comments must be available. I am glad that Advanji and the Janata Party are saying that they want to learn from the criticism of the free press because it is only a free press which makes it possible for the Government to learn. Prof. Harald Laski said that a Government always learnt more from the criticism of its opponents than from the eulogy of its supporters. Therefore it is very essential.

Now Sir I am not surprised that my good friend Shri Vayalar Ravi is today supporting this Bill and many others from the Congress side who are now in the opposition. If they not supported his Bill how would they find their opposition to the Janata Party expressed in the newspapers? They cannot say today that they have any conscience because if they had it they surely put their conscience in the refrigerator box during the Emergency! If really they have the conscience they should have had the guts to speak out then, if not on the floor of this House at least in the ruling Congress Parliamentary Party as it existed then. But I am not surprised at what Shri Vayalar Ravi says now because

[Prof P G Mavalankar]

even the Cabinet Ministers were not informed about the declaration of internal emergency at that time and so how can they inform Shri Vajalar Ravi about the intentions of the Government with regard to free press?

I also want to say that the very title of the old Bill Prevention of Publication of Objectionable Matter Bill was objectionable. After all what is really objectionable? How do we define that this is objectionable and this is not objectionable? For example if the Prime Minister is criticised in terms of the policy of the Prime Minister or if the Government is criticised in terms of the policy of the Government is it objectionable? The very purpose of the free press the free Parliament and the free people is to see that the Government is kept on its toes the establishment is kept continuously on the watch and they are taught told corrected and challenged whenever they go wrong. So, it is good that this Bill is now called Prevention of Publication of Objectionable Matter (Repeal) Bill.

Sir I want to conclude by saying three more things. One is that the former Minister of Information and Broadcasting Shri V C Shukla a very good looking man, and very affectionate in many ways, did many evil things in a most arbitrary and cavalier fashion and he was doing it as a kind of a command performance at the behest of his Prime Minister and also of his other young boss and adviser who was neither in the Cabinet nor in the Parliament. I want to go on record that the former Minister of Information and Broadcasting Shri V C Shukla dealt with free press and press men of this great country in a most shabby manner, and it should be examined if there was any possibility of bringing him to book if not through Parliament or through a Commission, at least through vigilant and vibrant

public opinion so that such a man will have no place whatever not only in Parliament but in the public life of this country. After all they were dealing with the people and they were having a sacred duty of informing the people of what was happening and they had to ensure all the time that what ever had been told in the House did not always go to the outside world. If what we say in this House is not reported to the country at large and the world at large why are we here? We are not here sitting standing and talking in our private homes. Indeed, we are talking as elected representatives of a great nation whose right is to know what we say and it is our duty to tell them what we say here. It is only through the media of the press that all this goes to the people and, therefore the press gallery in any democracy in any free Parliament is an indispensable and absolutely vital part of the institutions of parliamentary machinery and democracy. I want to say further that Shri V C Shukla was responsible for not only shabbily treating the press and the press men not only humiliating them trying to humble them with all the bad and blanket powers that he and his Government enjoyed at that time but he also tried to mislead this House by saying that Samachar was bought about by a kind of voluntary union.

I would like Mr Advani to clarify this point whether Samachar was a voluntary union or a formal union whether the "Press Trust of India" and the "United News of India" and "Samachar Bharati" and "Hindustan Samachar" were really willing and enthusiastic for a merger. If they were really willing why not the UNI and PTI and other agencies let us know about it? But it was the Minister under the cloak of emergency and under a terrible unprecedented and most disastrous and bad censorship the world has ever seen—even Hitler's Germany and Mussolini's Italy did not see the kind of censorship which Mr Vidya Charan Shukla tried to

impose—brought it about. I want to go on record that Samachar was not a voluntary union and Mr Vidya Charan Shukla told this House this hon. House the Fifth Lok Sabha that it was a voluntary union. I want to know from you Sir if some kind of a privilege motion cannot be brought against the former Minister for misleading the House and telling falsehood that this was a voluntary union.

Freedom of the Press in this country has had a glorious record not only after Independence but even before Independence. If only I had some more time I would have dealt with it in detail. But I will only give two names. Lokamanya Bal Gangadhar Tilak started Kesari in Marathi and Mahratta in English and Mahatma Gandhi started The Young India, Navjwan, Harijan, Harijan Sevak and Harijan Bandhu in Gujarati. All these and several other papers had a glorious tradition of a free press. In pre-Independence India and that tradition had been continued in post-Independence era by pressmen from various corners of this country both the English and the language Press in this country, and I want to take this occasion to pay my tribute to the pressmen, the reporters, the editors, the commentators and the columnists of this country of both the English and the language press who even after Independence and much more so during the Emergency carried the battle further and did not bow down. They would rather break but not bend. I do not want to be partial. If I had more time I would have given all the names. But I would like to refer to a few names here. Papers like the Indan Express, Opinion of Shri A D Gorvala Seminar Himat Sadhana in Marathi and Sadhana in Gujarati and if I may say with all humility the Gujarati Weekly Nirmalshak of which I have the honour of being one of the editors did their very best in seeing that even during the emergency the freedom of the Press was not allowed to be suppressed. If my esteemed friends on the Government

benches today had some news in the jails it was because some of us tried to see that they were properly fed and at right time.

May I conclude by saying that the Statement of Object and Reasons says, 'With a view to safeguarding the freedom of Press this Bill seeks to repeal'. May I request in conclusion my esteemed friend Shri Advani and the government that they will do everything possible to ensure the freedom of the press not only through governmental institutions—I do not want to anticipate what the Minister is going to say—for I believe freedom of press is not a thing the government alone can do much about. Government can of course do it by not interfering with it. But apart from the government's own non-interference in the matter of freedom of the Press what we want is the development of a critical free and vigorous public opinion in this country in this Parliament in the legislatures right from the Panchayats and onwards to the Parliament where the people's representatives can talk freely and fearlessly and even if they are supporters of the government they will not mind telling the truth when the need of the hour is to tell the truth. If that is done then I am quite sure that this Bill which is a repeal of the earlier ugly law will be a first and a major step and it will be in the right direction of ensuring freedom of the Press for a free people, a democratic people and a decent people because it is only when a free people get facts and opinions and comments freely and continuously that all is safe for democracy and a democratic republic.

SHRI C M STEPHEN (Lokshi)
 When I am rising to speak let me make it clear that as may be expected by some of my friends on this side or that I am not in a mood to say that all that was done was bad.

I have nothing against the Bill that has been brought forward by Mr

[Shri C M Stephen]

Advani This is as it should have been because the Bill which we are now seeking to repeal should be seen in the proper perspective the perspective being that the Bill was enacted in the context of the emergency proclamation

I have stated why the emergency proclamation was necessitated when I spoke on the President's Address. I don't want to go over the entire gamut once again. Whether the proclamation was correct or not in all aspects of implementation is a different matter. But I am very emphatic that the Presidential proclamation was in the national interest. That was necessitated because of the anti-democratic, lawbreaking anti-national violent activities of the opposition then. After the promulgation of the emergency, certain actions were to be taken curtailing among other things what I may call untrammelled freedom of publication. That was one of the actions which had to be taken and it was in that context that this Bill had been enacted. Let us not forget the fact that when we speak of the freedom of the Press, we speak not merely for freedom of working journalists, but we speak also for the freedom from the money-bags controlling the Press. They have been managing the press and their philosophy is that he who pays the piper will call the tune. But freedom of the press need not necessarily mean freedom of the intellectual to express his views. The freedom of the press under the conditions obtaining today in this country is more the freedom of the powerful elements to carry out certain propaganda they want to make against the national interest, and in their interest. It is a move against the conspiracy by what we call the reactionary elements in this country and

the Press which had been controlled by those reactionary elements would certainly have been put into use for the purpose of subverting and corroding what is sought to be achieved by the proclamation of emergency. It was in this context that this Act was enacted. I don't forget the fact that this was put in the Ninth Schedule. At that time members of both sides of the House protested against that sort of thing. The inclusion of the Bill in the Ninth Schedule did not go without protest. I am one of those who raised his voice of protest against it.

It is now my argument that this Bill was not intended to operate beyond the period of emergency. This Bill was a measure which was sought to subserve the interest of the emergency which was proclaimed. The situation envisaged to be met by this Bill would not have been met except by the enactment of this Bill which you are now seeking to repeal. Therefore when the emergency ends it stands to logic as far as I and many of my hon friends can see it, that as a corollary, this act which was promulgated by the then Government must go. That is what I wish to submit. When Mr Advani has brought forward this Bill the conditions are different. The Bill is as it should be and as it should have been. That is all what I want to say.

Having said that, I should emphasise that a clarity of thought is absolutely necessary as to what the freedom of expression and press is and should be. Let us look at it as is enshrined in our Constitution, that is about the freedom of speech and freedom of expression. Mr Hegde I hope, will agree with me that the freedom of expression and freedom of speech is not unconditional. I shall quote the relevant clause.

Clause (2) of Art 19 of the Constitution says—

“Nothing in sub-clause (a) of clause (1) shall affect the operation of any existing law, or prevent the State from making any law, in so far as such law imposes reasonable restrictions on the exercise of the right conferred by the said sub-clause in the interests of the security of the State friendly relations with foreign States public order, decency or morality or in relation to contempt of court defamation or incitement to an offence

Therefore the framers of our Constitution founding fathers of our Constitution granted the freedom and contemplated that that freedom should not go against the interests of the society, the interests of morality, of discipline etc. How can these be achieved. That has been a matter of anxious pursuit by the intellectuals by lovers of freedom and by socialists. So the question has been how that golden mean can be struck and how the freedom of the press can be sustained on the one side and how provisions could be made on the other side to ensure that the freedom does not degenerate to what I may call a licence to the detriment of the interests of the country the sovereignty and integrity of the country or the morality decency and all the rest of it. Measures were being taken from time to time and we have made certain provisions. We attempted the method of voluntary goodwill and understanding and leaving that to the goodwill of the press and people. Is it not, however a fact that looking back from the days of the promulgation of the Constitution to the present day there has been a degeneration in the matter of enjoying or exercising that freedom? Was that freedom exercised in a manner as most of us would like to have that exercised? Take the case of labour and the right of organisation granted

to the labour Sir I am a trade unionist. But can we say that that freedom granted was really used in the interest of the whole nation or in the interest of the labour? I would say that that freedom was not used in a manner as it should be. I do not want to enumerate further. Everywhere the degeneration of that freedom was to the base level to a licence is what occurred. Aristotle prophesied as to one type of Government will fall and another type will follow. He said that when the freedom granted in a democracy degenerates into a licence then democracy becomes deformed and autocracy will take over. This is what was sought to be done. We had been sliding back to that. The reply will come immediately that autocracy has already taken over under Congress. Polemics apart, the fact remains that where freedom degenerates to a licence democracy will lose its vitality, its self sustaining vitality its integrated dynamism and the democratic fabric will get deformed and others will take that over. This was a danger that we were running into. Anyway these are not quite relevant. The point I am emphasising was this. The freedom of expression freedom of speech guaranteed by the fathers of our Constitution was and was to be subject to certain restrictions. How a mean has to be struck is what I have been trying to find out. In 1969 when we promulgated an Act—The Criminal and Election Laws Amendment Act 1969—certain sections were promulgated that we set up the Press Council machinery which should try to create a sort of code of conduct amongst the journalists. Such action is necessary for the purpose of preventing or combating any activity prejudicial to the maintenance of communal harmony and affecting or likely to affect public order, may by order in writing addressed to the printer, publisher or editor, prohibit the printing or publication of any document etc.,

[Shri C. M. Stephen]

etc. It was done in 1962 much earlier than the promulgation of the emergency, where the Congress as such was not in complete majority and it was done with the consent of everybody. That Act, would show that there was an allround realisation of the need for restraints on the freedom of press and expression. The objectionable Act was another attempt in the same direction. As I said this Act was promulgated against the background of Emergency and as the Emergency has been lifted this should also go.

Mr Chairman, I would like to say that it is not as if arbitrary powers were given under that Act. One of the chapters in this Act is regarding prohibition of prejudicial publications. Then there is provision which I quote

"Any activity prejudicial to the interests of sovereignty and integrity of India, security of the State, friendly relations with foreign States, public order, decency or morality;"

With respect to the above if anything happens then for two months period a direction could be given that that matter be not published or if it is published it could be kept back. Then we have a chapter regarding security from presses in certain cases

Sir there are two redeeming features. A notification demanding security is not the last word about it. That notification must come before the House. It will be before the House for 60 days and the House will have jurisdiction to cancel or amend the notification. The executive action is not the last word about it. This notification comes before the House under Section 16 of that Act has got power to modify, amend or cancel the whole thing. Over and above that if a person is aggrieved by the order of security there is a

relief given to him. He can appeal to the High Court. It is not as if judiciary is kept away from the whole thing. The High Court is given full freedom either to amend, cancel or modify as to whatever they choose to do. Then there is another provision if literature is found to be prejudicial then there is power to detain packages containing certain publications when imported. In this case also there is provision for appeal to the High Court.

Mr Chairman, Sir, what I have said is that in our effort to strike balance between freedom on the one side and misuse of freedom on the other side a certain provision has been made more or less in line with the provision made in the Indian Penal Code. Certain provisions have been made and those provisions give certain authority to the government but the same has been made subject to the decision by the both Houses and also by the appellate authority of the High Court. It is not as if some arbitrary power has been given to some officer to operate as he chooses. All that has been done is done in the interests of the sovereignty of India, friendly relations with foreign States, public order, decency and morality. Then Sir, these provisions were enacted against the background of Emergency. As the Emergency goes this also goes.

Mr Chairman, I would like to emphasise that the problem is still not over. The Act may not be necessary in the judgement of the present government. I may also say so long as Congress is here on this side that sort of thing may not be necessary but what is the guarantee against what may be called 'yellow press'. Freedom of the Press and freedom of the intellectuals. Yes. Freedom of the journalists. Yes. Freedom of the persons who can think and write. Yes. But what about freedom of mighty money to control human thought and expression and to reduce intellectuals to

the status of quill-drivers Is it a freedom to be safeguarded—a freedom of the man who can command money, who can run chain newspapers in the country and pollute the thinking of the people? Is it a freedom to be safeguarded and what is the safety and the guarantee that that freedom will not be misused to the detriment of the people? This is the thing to which the Government has to address itself squarely By the repealing of this Act, the problem is not over That is what I emphasise By the repealing of this Act the problem is still at large It is the Government themselves who are the best judges as to whether the public interest can be best served by enlarging everybody's freedom It is for them to decide I have nothing more to say about it But as my friend Mr Rameshwara Rao pointed out here, the question of yellow journalism is before us Have we not seen how many innocent people have been the victims of this yellow journalism? What is the guarantee? You carry on yellow journalism against persons Character assassination is being carried out not necessarily of persons at top, but of anybody What is the guarantee against it? What is the safety against it? Should there not be safety? Murder of a person is certainly less cruel than the sort of character assassination which we find being practised in certain areas Is it not social menace? Is it proper for us to cry out that the freedom of the press is throttled if provisions are made to menace yellow journalism? Is that the freedom of the press? Freedom of the press, as I understand, is a freedom in consonance with the common weal If you put it to me, the people in this election have given a mandate to the Janta Party I for one, although I belong to the Opposition Party, will not agree that the Prime Minister of this country, Mr. Morarji Desai, so long as he enjoys the confidence of this House can be denigrated. I am not

prepared to agree that he can be denigrated A certain image of the Prime Minister has got to be projected and has got to be maintained. Carrying on vilification against him certainly cannot be justified although it might serve my political purpose. When the people have given a verdict, when the people have returned somebody when the people have given verdict for a particular policy, it is the duty of the mass media, of the press of the journalists and the writers of this country to see to a certain extent possible—I do not say to the fullest extent possible—that they write in honesty to their service, for the projection of the image that the people wanted them to project. If that has not happened, what is the solution? Can you say in the name of the freedom of the press you can undermine the country, undermine the people's verdict, undermine the image of the Prime Minister and President of India? Can you permit it?

I for one would say 'No, must not be permitted' That is my humble opinion. Therefore, what I am saying is, the proposition before us is not so simple as many of my friends like you think. It is like sugar quoted sort of shibboleth coming in handy But let us not deceive ourselves by believing that this is such a simple matter Mr Somnath Chatterjee, a lawyer, is here, Mr Hedge, the ex-Supreme Court Judge is here Many such cases came before him. They must have been taxing their brain to find out the golden mean between the freedom of press on the one hand and the misuse of the freedom on the other, the degeneration of the freedom to the level of a licence which will completely denigrate and demolish our democratic fabric The experiment that we are attempting in our country giving a fundamental right and putting certain restrictions is a very adventurous experiment.

[Shri C M Stephen]

To make it a success a sort of forbearance is necessary balance is necessary a balanced outlook is necessary. Therefore in a pursuit to find a golden mean if somebody errs a little this side and if somebody errs a little that side let it not be characterised as criminal and as being draconian and black and a tyrannical sort of thing. If that erring takes place let us make an effort to find a golden mean. That is why I said that when I make my observation I stand not in a mood of apology for what we did but I do stand here defending what I did defending my support to the Bill as it then was because I was satisfied the Bill when it put certain conditions was not arbitrary it was not unchannelled undirected and it was not without control because it was made subject to the control of this House. This House could annul the notification which was made it was subject to judicial review because it was appealable to the High Court at every stage. In the conditions obtaining then the Bill was necessary and was supported. Now that emergency is over the problem is before the government as a corollary it must follow the Bill must be repealed. But repealing of the Bill will leave behind the problem of misuse of freedom in the interest of some people in favour of vested interests against the interest of the country. I hope Mr Advani with his original ideas will find a golden mean and balance.

My friend was speaking about Samachar. We know the whole history of it we know how PTI came in we know how UNI came in how we were given a desk in Reuter's office in London. Our national pride was not content with a desk in Reuter's office in London and we wanted our own Press media. So PTI came in and UNI came in. It was then certainly big money that was operating in the news media and the problem of safeguarding against that was there.

It was stipulated as a situation that more than one newspaper must be involved in order to launch out a news service. There are Press magnates here who have 100 papers under them and all those papers could come together under the news media thereby satisfying the stipulation and yet making it a one-man show. Thus the news media was under monopoly control and therefore it had to be merged and it was merged.

If there is need to put it under control, it can be done. But what do we find? You used mass media for your purpose. I do not say that Samachar alone was used Samachar was completely used radio was used television was used the Janata Party set the record in so using it. Your inaugural function at Ram Lila grounds the A to Z of it was put on the live wire. There was a live broadcast of that. What is the point in criticising? It may happen again it will happen it can happen. It is understandable that in the euphoria of victory things like that were done. I can understand that. I hope that things will be corrected. Let us find a method to correct wrong things and have a national consensus and develop that.

With respect to Samachar I should plead let it not be disintegrated. Some people say that the move is not before the government. Still I say thus. Pooling of the employees has taken place different points of view are there. Those employees are happy that they are in a family. There is a dissident opinion about that for that dissident opinion there is another opinion. So this has come to stay and it must carry on. It is in the interest of the employees that they are not disintegrated. What ever benefit is available must be pooled and shared. Some sort of a control could be exercised. Therefore with respect to disintegration of Samachar I have got my own reservations. This thought occurred to me when I heard this. It is not

the final view After thinking it over some other thoughts may develop

My concluding word is this I support this Bill because this Bill is the corollary to the conclusion of the emergency, it should have come and it has come But I want to make it clear that I have not a word of apology for having been a party to the Bill which is being repealed by this Bill because of the reasons which I have already given The justifiability of an action depends upon the context In that context it was necessary Emergency was justified at that time If you have doubts about it I quote Babu Jagjivan Ram's support to that proposition With these words I support the Bill

श्री कवर लाल गुप्त (फिल्मी सद)

समापति जी मेरे मित्रों न भी इस बिल का समर्थन किया है और मैं उनको इसके लिए घाई देना चाहता हूँ। कांग्रेस बेंचें में जिन्होंने समर्थन किया है उसमें दो कटेगरीज हैं। एक तो वह जिन्होंने खुल कर कहा है कि हम से गलतियां हुई हैं और उन को स्वीकार करते हैं। जनता ने जो हॉट दिया है उसको भी स्वीकार करते हैं। वह बहुत ईमानदारी से यह बात कहते हैं और हम उनकी ईमानदारी की कद्र भी करते हैं कि उन्होंने सफाई से कहा। लेकिन कुछ लोग ऐसे भी हैं जो आज भी यह कहते हैं कि 19 महीनों में जो तानाशाही का राज रहा, प्रैस का गला फेंका गया, अदालतों के दरवाजे बन्द किए गए वह इसलिए हुआ कि राइटिस्ट रीएशनरी और लैफ्ट ऐन्ड चरिस्टा को रोकने के लिए बैसा करना जरूरी था जिस की कि यह बिल कोरोलरी थी। मुझे दुःख है कि जिस प्रकार हिटलर और मुसाफिरी के बाद भी उनके चमचे जर्मनी और इस्ती में बच गए थे उसी प्रकार इन्दिरा जी ने चेचे चटे आज भी हिंदुस्तान में बचे हुए हैं।

मैं चाहता हूँ कि ऐसी कटेगरी के जो लोग हैं उनके सारे भाषण जनता में भेजे जाए ताकि जनता को पता लगे कि आज भी हिटलर के चेले देश में मौजूद हैं और उनसे जनता को लड़ने की जरूरत है।

माननीय स्टीफन ने कहा कि हमने भी गांधी ग्राउन्ड की पब्लिक मीटिंग में टी० वी० का मिसयूज किया है। मैं इस बार में आपस सहमत हूँ। मेरी राय सफ है मैं जनता पार्टी का सदस्य हूँ, मैं कहना चाहता हूँ कि किसी भी पोलिटिकल पार्टी की मीटिंग के लिए टी० वी० का इस्तेमाल नहीं होना चाहिए। ऐसा जन्दी में हो गया जो मेरी राय में ठीक नहीं था। लेकिन मैं उनसे एक बात कहना चाहता हूँ कि हमारी पार्टी ने कुछ लोगों ने पब्लिकली इस बात को कहा कि नहीं होना चाहिए था पर क्या कांग्रेस पार्टी में कोई सदस्य ऐसा था जितने कभी प्रोटेस्ट किया हो जब कि इन्दिरा जी और सारा गांधी को लगातार टी० वी० पर दिखाया जाता था? क्या क्या आप के मुँह में उस समय जुवान नहीं थी? जिस तरह से हम प्रोटेस्ट कर रहे हैं हमारे साथियों ने किया बैसा आपने कभी नहीं किया और व इसलिए हुआ कि आप की जमान बन्द थी, आपके मुँह पर ताला लगा हुआ था।

SHRI C. M. STEPHEN The Congress meeting was never put on live wire

SHRI KANWAR LAL GUPTA I can quote many instances in Delhi (Interruptions)

SHRI SOMNATH CHATTERJEE Shrimati Indira Gandhi's speech in Calcutta was directly broadcast.

PROF. DILIP CHAKRAVARTY Shrimati Indira Gandhi's speech before Election was broadcast (Interruptions)

1043 hrs

[MR SPEAKER in the Chair]

श्री हर्बर लाल गुप्त अध्यक्ष महोदय, दिल्ली के अंदर दिल्ली प्रदेश कांग्रेस केटो की मीटिंग हुई जिसमें श्रीमती इंदिरा गांधी ने और राजय गांधी ने भाषण किया और आन इंदिया रेडियो ने उसको टाय-रेक्ट ब्रोडकास्ट किया। अगर यह बात गलत हो तो आप मुने जो चाहें सजा दें, नहीं तो माननीय स्ट पन सजा लें। छडे हो कर इनना ही कह दें कि मुझ से गवती हो गई मैं माफी चाहता हूँ, मैं मान लूंगा। यह पक है डेमोक्रेटिक और डिक्टेटोरियल रिजिम का। मैं मानता हूँ कि द्रोणोचार्य की भी जवान बन्द थी यद्यपि दुर्योधन ने कुछ किया था, खुश्बेव की भी जवान बन्द थी जब स्टालिन का राज्य था। उसी प्रकार उस समय आपकी भी जवान बन्द थी। मुझे मालूम है, आप मीसा में बन्द होकर जेल नहीं जाना चाहते थे, नही तो हमारे साथ जेल में मेहमान बनकर रहते। आपम उस समय हिम्मत नहीं थी। जनता पार्टी की हुकूमत आने के बाद सारी पाबन्दिया हटी हैं और जनता पार्टी ने आज आपको जवान दी है। आज कांग्रेस के बहुत से लोग कहते हैं कि राजय गांधी और बसी लाल को हटाओ, हमने आपको आपकी पार्टी में बोलने की डेमोक्रेसी दी है। जनता पार्टी ने आपको डेमोक्रेसी दी जिसके कारण आज आप कांग्रेस के बारे में कुछ कह सकते हैं। आप पहले तो कुछ नहीं कह सकते थे ?

डेमोक्रेसी के लिए यह बिल लाना जरूरी है। मेरे मित्र ने थोड़ा सा नोट किया था, मैं भी इस बिल का संकशन 3 वोट करना चाहता हूँ —

"In this Act, the expression 'objectionable matter' means any words, signs or visible representa-

tions which are likely to bring into hatred or contempt or excite disaffection towards the government established by law in India or in any State thereof and thereby cause or tend to cause public disorder"

यानी आप गवर्नमेंट के खिलाफ कोई भी डिक्लरेशन कर, कुछ भी ऐसे शब्द बोल जाएँ, इशारा किया जाए, तो उसकी सजा मिन सनती है। आधिर में एक्स्प्लेनेशन 2 में यह है —

"Explanation II In considering whether any matter is objectionable matter under this Act the effect of the words signs or visible representation, and not the intention of the keeper of the press or the publisher or editor of the newspaper or news sheet as the case may be shall be taken into account."

इंस्टेशन का सवाल नहीं है, क्या आपके मन में है, इसका सवाल नहीं है। अगर आपने कुछ भी ऐसी बात कही है, जिमने डिक्लरेशन हो सकता है, तो इंस्टेशन को छोड़कर आपको अन्दर फर दिया जाएगा। क्या मेरे मित्र इसको सपोर्ट कर सकते हैं ?

मेरा कहना यह है कि जिस तरह से प्रेस का इस देश में गला घोटा गया था, दुनिया के किसी डेमोक्रेटिक कंट्री में ऐसा नहीं हुआ। कांग्रेस के जमाने में भी यहां प्रेस का इस तरह गला नहीं घोटा गया। डेमोक्रेसी के नाम पर तानाशाही चलाई गई। कहा गया कि पालियामेंट सुप्रीम है लेकिन पालियामेंट की प्रोसीडिज नहीं छप सकती थीं। अगर पालियामेंट सुप्रीम है, तो इसमें जो बोला जाता था, उसका जनता को पता लगना चाहिए था। लेकिन यह सुप्रीम नहीं थी, इस लिए इसकी सारी बातें जनता के सामने नहीं आ सकती थीं।

इतना ही नहीं कि सरकार के खिलाफ कुछ कहा जाए तो वह ही न छपे, भदालतो, हाईकोर्टों और सुप्रीमकोर्टों के जो जजमेंट होते थे, उनको भी नहीं छपने दिया गया। इसने कई उदाहरण हैं। उन जजमेंटों को भी सेंसर कर के दिया गया। बहुत सारे जर्नलिस्टों को जेल में डाल दिया गया। जिस दिन एमर्जेंसी डिक्लेयर हुई उस दिन सेंसरशिप लागू भी नहीं हुई थी, उसने एक दो दिन बाद सेंसरशिप लागू भी गई थी।

इतना ही नहीं कि कानून बना दिया गया, सेंसर बना दिया गया, गाइडलाइन्स कर दी गईं, इसके अलावा कई अपवार्डों के प्रेस तक की बिजली काट दी गई जिससे कि भ्रष्टाचार छप न सके। जो भ्रष्टाचार इंडिपेंडेंट एडिटरों से थे उनको छवर न मिले, उनको सेंसर से छवरे देने में जानबूझ कर देरी की जाती थी। हम जानते हैं कि इंडियन एक्सप्रेस, स्टैंडर्ड मैन भ्रष्टाचार कभी कभी 12 बजे और 1, 1 बजे निकलते थे और कभी निकल ही नहीं पाते थे। इस प्रकार से बिजली काटकर उनको परेशान किया गया।

प्रथम महोदय मैं आपके द्वारा मंत्री महोदय से माग करता हूँ कि डेमोक्रेसी के लिए यह जरूरी है कि इस प्रकार का सारा डेटा इकट्ठा करके जानकारी देनी चाहिए कि किस प्रकार से प्रेस का गला घोट्टा गया। यह सारा डेटा इकट्ठा करके सदन के सामने लाया जाए जिससे जनता को और दुनिया को पता लग सके।

मंत्री महोदय यह बताएं कि पिछली सरकार ने देश में भ्रष्टाचार पैदा करने और तानाशाही स्थापित करने के लिए किस प्रकार सेंसर का उपयोग किया।

मैं अपने देश के इंडिपेंडेंट प्रेस को बर्बाद करना चाहता हूँ, जिसने इतने दबाव के बावजूद — भ्रष्टाचार के एडवर्टाइजमेंट बन्द कर दिये गये, प्रेस की बिजली काट दी गई, उन के भ्रष्टाचार न बिल कर दिये गये—अपनी नीतियों को नहीं बदला और मजबूत छड़ा रहा। कुछ लोग और भ्रष्टाचार ऐसे भी थे, जिन्होंने समझा कि हाथ रोगने और रडियो तथा टेलीविजन से पैसा कमाने का यही मोका है। मैं मंत्री महोदय को एक नोट लिख कर बताया है कि आकाशवाणी और टेलीविजन में आज भी संजय वाकस ने लोग बँठ हुए हैं। पिछला उन्नीस महीने में उन्होंने जिस तरह तानाशाही के साथ मिलकर काम किया, उसी तरह व आज भी सरकार के काम को चलाना चाहते हैं और हमारी सरकार को बदनाम करना चाहते हैं। मुझे मालूम है कि सरकार द्वारा संजय वाकस और 20-पायट प्रोग्राम पर होने वाले खर्च के आकड़े इकट्ठे किये जा रहे हैं। मगर वे एकतरफा उस में गड़बड़ कर रहे हैं और खर्चा कम बता रहे हैं। मैं चाहूँगा कि सरकार इस बारे में छानबीन करे। इस वाकस के लोगों को, जिन में आकाशवाणी और दूर दर्शन के बड़े बड़े अधिकारी शामिल हैं, इन संस्थाओं में स्थान नहीं मिलना चाहिए। जो लोग डेमोक्रेटिक माइंडिंग हैं और जो देश को प्रजातांत्रिक ढंग से चलाना चाहते हैं, उन्हें तो इन संस्थाओं में रखना चाहिए।

सरकार को देश के इंडिपेंडेंट प्रेस को एनकरेज करना चाहिए। जो लोग हमारे निष्ठ हैं, उन्हें भी एनकरेज करना चाहिए। यह जरूरी नहीं है कि सब लोग हमारी पार्टी की नीतियों को तारीफ ही करें। जो लोग हम क्रिटिसाइज करेंगे, हम उन से भी सीखें और अगर हम ने कोई गलतियाँ की हैं, तो हम उन को ठीक करेंगे। जब देश में तानाशाही थी, तब इंडिपेंडेंट प्रेस ने मजबूती से उस का मुकाबला किया। आज यह जरूरी नहीं है कि वह हमारी पुशामद

[श्री बबन चन्द गुप्ता]

करें। उसको खुशी छूट होगी कि वह हमारे बारे में जा चाहे लिख। जो समाचारपत्र इंडिपेंडेंट प्रान्सिपियल इन है सरकार को उन पुरी सहायता और प्राप्ताहन देना चाहिए।

मुझे खुशी है कि इस बात को कानून को गमान किया जा रहा है। देश में प्रजातन्त्र पर हमला बड़ा बुद्धिमत्ता प्रसन्नता घाटन कर रहे हैं। पिछली सरकार ने कानून बना कर लोगों को दया और प्रसन्नता का मुह बन्द कर दिया, तानि लोगो को देश में होने वाली घटनाओं के बारे में सही जानकारी न मिल सके। यहाँ तक कि जब श्री जयप्रकाश नारायण, श्री मोरारजी देसाई और श्री घटल बिहारी वाजपेयी आदि नेता गिरफ्तार हुए, तो लोगो का मायूसता नहीं हुआ कि ये कि कहा है। क्या यह भी कोई बात कि इन सब लोगो का सहायता चाहिए या? यह कोई गौण बात नहीं है। यह तो एक स्पष्ट बात है। यह कि हम न हमेशा की बातें घाटन है। वह दिन वास्तव में आए यह सरकार इन तरह की नीति अपनाए और एक ईश्वर बना कर इस सरकार ने 19 महीने में क्या किया। हमारी जानकारी पूर्ण गिरफ्तार मजबूत कर तानि और सदन के सामने माननीय मंत्रीजी को रखनी चाहिए। इन सबको न साथ में इस विधायक का समर्थन करता हूँ।

17 00 hrs

SHRI SOUGATA ROY (Barrack-pore) Mr Speaker, Sir, let me make it clear at the outset that I am not here to oppose the Bill. Let me also make it clear that I am not here to defend the indefensible. I was not a member of the 5th Lok Sabha like you. That is why my conscience is

quite clear on this point. As Mr Stephen correctly said, this Bill is a corollary to the Emergency. This bill has been called a draconian bill. But as I said, the bill being a corollary of the Emergency, if the Emergency was draconian, this bill was also draconian.

The elections were fought on the issue of Emergency. The Congress Party lost the elections. I accept the verdict as a member of the Congress party whatever we may think about Emergency. Whether we support the Emergency or not the people of India as a whole have not supported it. Therefore, I have no hesitation in saying that the bringing in of this bill was a logical corollary of the victory of the Janata Party and of the repeal of the Emergency.

But at this point, I want to make a few important points. It has been very often said from the ruling benches that everybody in the Congress Party was silent on this point. Every Party has its discipline and ethics. There were many Congress men who were not happy when advertisements to the 'Pa'not' were stopped. There were many Congressmen who were unhappy when 'Mainstream' was censored, but being in the Congress party, it was not always possible to come out in the open. (Interruption) I will say something about 'Indian Express' and 'Statesman' later on. But there is a difference between political newspapers and non-political newspapers, and that point has to be made very clear. What is the difference between responsible journalism and yellow journalism? It has to be made clear. As Mr Stephen said earlier to-day, Shri Morarji Bhais is the Prime Minister of India to-day and anything written to denigrate him personally would be a denigration of the image of India. If anybody in the cabinet of Shri Morarji Bhais dies and if it is said that Shri Morarji Bhais had a hand in it, naturally the image of India does not go up in the

eyes of the people of the world This is what was being done Mr Speaker, before the Emergency A certain Cabinet Minister of the government died and the Press came out openly saying that the Prime Minister had a hand in it This is libellous and no country can function with such an irresponsible Press Mr Advani has come to the government recently When the dust settles down and when the ethereal issues settle down to real issues he will find that in running a country and a government it is necessary to evolve a code of ethics of the Press and of journalism It is necessary to find out a way to curb yellow journalism it is necessary to find a way to stop character assassination and it is necessary to find a way to prevent unfair attacks on persons I do not say that such a bill will be necessary again because as I said Emergency may not be necessary in this country again And if no Emergency is necessary a black bill or a draconian bill will not be necessary either Still it is time that Mr Advani sits with the Press with the working journalists and with the owners of newspapers to find a way to stop this because I know that after six months his government will be subjected to the same barrage of propaganda from the Press as we were subjected to when we were on the government side

May I remind you that in your euphoria you are talking highly of the free press you are talking highly of the independent press you are talking highly of the Indian Express?

MR SPEAKER I did not talk about anything

SHRI SOUGATA ROY They were saying that

MR SPEAKER Then put it that way When you say "you", it will apply to me

SHRI SOUGATA ROY Sir, I am addressing through you the ruling benches if I am not mistaken When the ruling benches talk highly of the independence of the press it comes to my mind that the very same language press the very same national dailies they printed on the first page big photographs of a certain youth leader drinking green coconut, the very same press printed the picture of certain youth leaders tying boot lace and today they have come in support of the Janata Party I know of a vernacular daily of my part of the country *Ananda Bazar Patrika* It was printing the photographs in big size on the first page every day and saying that a certain youth leader had done this or done that Today that paper is giving hospitality to the Janata Party So I can only tell you that this euphoria will be short lived. These people can turn against you again as it turned against us Do not have any faith in them

You talk about the freedom of the press May I tell you that really there is no freedom no democracy under capitalism? Let me remind you this free press as you call it, the Indian Express it is owned by a jute magnate Shri Ramnath Goenka who has so many jute mills in my State of West Bengal one of which the previous Government had to take over There cannot be any freedom for the working journalist working under Shri Ramnath Goenka there cannot be any freedom for a journalist working in the big language dailies because they have to go by the dictates of their owners.

Mr Advani, it is all right you have brought forward this Bill and this Bill is welcome But let me also tell you that in 1973 our Government thought of bringing about a Bill for the diffusion of ownership of newspapers but it fell due to certain reasons. I was not in Parliament at that time and so I do not know the reasons When you get down to

[Shri Sougata Roy]

brass tacks if you want freedom of the press in the country then you have to stop the ownership of the press by the big jute mill owners.

Shri Uggrasen has just now spoken on this subject. He has been a Socialist all his life and so he would very much like to see the ownership of these newspapers in this country diffused. But I am very sorry Mr. Uggrasen you will find yourself in collision with the members of the Janata Party, who belonged to the Swatantra Party previously who belonged to the Congress (O) previously because they will say 'No no we will not take it away from Shri Ramnath Goenka, who is a big friend of the Janata Party who is helping us in so many ways'. So in spite of your socialism, you would not be able to do it. Therefore, I would request those of you who believe in the freedom of the press to work for the diffusion of ownership of the newspapers, because there cannot be any real freedom of the press of the working journalist under a capitalist system, under a capitalist ownership where Shri Ramnath Goenka, Shri Sahu Jain and people like him are owning big national dailies, where crores of rupees are necessary to bring about another chain of newspapers. This is another point I wanted to mention.

Thirdly, I have another point. The other day I was reading an interview by the Prime Minister, Shri Morarji Desai, to *Current*. He was talking with the Editor of *Current* and he said you journalists drink too much, if I have prohibition, then you journalists, your freedom will be restricted in the sense you would not be able to drink. I want to say that there is a point in what Shri Morarji said. Last year there was a big scandal implicating certain journalists with the CIA in the border areas. I would say that this addiction to

alcohol often makes some journalists—I would not say all journalists, but some journalists, because most of the working journalists in this country are honest free and fearless, I have no doubt about it—but some journalists come into contact with the foreign agencies. Because of the consumption of alcohol in the Embassy parties some of these journalists come into contact with foreign countries and their agencies and that is why they often do things which are detrimental to the interests of this country. We must ensure that our journalists do not get implicated in this sort of affairs.

So I again say that today what is necessary in this new atmosphere when the Janata Party has come to power is this let us get rid of this euphoria.

Let us stop repeating what the faults of the previous Government were. It has been going on in these few days in Parliament. I have been hearing about what the previous Government had done. Please tell us what you are going to do and what is your policy about the newspapers. Just now, Mr. L. K. Advani, made a statement which has disappointed me. He said that DAVP advertisements were mainly for the purpose of publicity. So, those newspapers which have bigger circulation will get bigger advertisements. Is he not favouring the monopoly Press, big newspapers who are run by big capitalists. How can a small and medium newspaper thrive unless there is a fair share of the advertisements given to the small and medium newspapers. By all means you can give advertisements to 'Motherland', to your own party paper and so on, but you should also give some advertisements to our party papers so that small and medium newspapers can thrive in this country. With these words, I lend my support to the Bill and welcome the introduction of the Bill.

घोषरी बलवीर सिंह (शुभरा रुर) :
अध्यक्ष महोदय, पिछले 20 महीनों के बारे
में एक सापर ने कहा है —

सैयाद की क्या खूब हुनरमन्दी है,
हर बात पे ऐलान खुदा बन्दी है ।

पहले वी अन्द कफ़स में बुलबुल
अब सहने-चमन में भी जुवां बन्दी है ।

इन बीस महीनों में इस तरह ने गले काटे गये—
हर भादमी के, प्रेस के — जिसकी मिसाल
नहीं मिलती है । हमारे पंजाब के साला
जात नारायण जी, जो राज्य सभा ने मेम्बर
रहे हैं, हिन्दू समाचार और पंजाब मेसरी के
मालिक हैं । वे अपने अखबार में
यह भी नहीं छाप सकते थे कि साला जगत
नारायण जो गिरफ्तार हो गये । छापना तो
दर-किनार उन के प्रेस को बन्द करने के लिए
बिजली का कनेक्शन भी काट दिया गया ।
उन्होंने मजबूर हो कर ट्रैक्टर की मदद से
अखबार छापना शुरू कर दिया—इस हद
तक कार्यवाहियां हुईं । यहां दिल्ली में
इण्डियन एक्सप्रेस अखबार को इस ठंग से
बन्द किया गया, पहले उसकी बिजली
बन्द की गई, फिर उस के खिलाफ़
इन्कमटैक्स का केस बनाया गया और उस में
उस अखबार की बिहिंडिंग पर ताला बन्द
गया । . . .

श्री सोनात राव : क्या आप रामनाथ
मोयनल के दोस्त हैं ?

घोषरी बलवीर सिंह : अध्यक्ष महोदय,
मुझे बड़ी खुशी है—पिछले 20 महीनों में इन
लोगों की जुबान बन्द रही, अब हम ने इनको
जब्त कर रखा है, आज ये लोग यहां पर बोल
रहे हैं —

नजर उनकी जुवां उनकी,
किने में मोनविर समझी

नजर कुछ और कहती है,
जुवां कुछ और कहती है ।

ये यहां पर कुछ कहते हैं और बाहर कुछ और
बातें कहते हैं । आप किस प्रेस की हिमायत
करना चाहते हैं ? क्या उस प्रेस की जो दिन-
रात संजय गांधी और इन्दिरा गांधी के
भीत गाता था । अध्यक्ष महोदय, ये
इस बात को भूल गये कि हमारी सरकार ने
इस बिल को यहां पेश कर के आप को बोलने
की इजाजत दी है, इस बिल से आपको
हक मिलेगा कि आप हमारे खिलाफ़ लिख
सकें—यह इज्जियार हम ने आपको दिया है,
वरना पुराने कानून से हम को क्या नुकसान
था, हम तो उस पाबन्दी से फायदा उठा
सकते थे । लेकिन हम ने अपने घोषणा-पत्र
में एलान किया था कि हम इस मुल्क को
आजादी देंगे । पखवारों की आजादी
होगी, लिखने की आजादी होगी और हर
भादमी को लिखने की आजादी मिलेगी ।
वह आजादी हम बहाल कर रहे हैं । इस से
इस देश को बड़ी ताकत मिलेगी, जम्हूरियत
को ताकत मिलेगी क्योंकि लोक राज में
भयर अखबार आजाद नहीं हैं, पखवारों
को लिखने की आजादी नहीं है, तो वह
बिल्कुल बेमाइने हो कर रह जाता है ।
आज ये लोग इस को मुद्दालफ़्त कर रहे हैं,
और कौसी कौसी बातें कर रहे हैं । एक
तरफ़ तो अपनी जवान से कहते हैं कि हम इस
बिल की हिमायत कर रहे हैं और दूसरी
तरफ़ ये इस के खिलाफ़ और मचा
रहे हैं ।

अध्यक्ष महोदय, जिन लोग ने घोषणा की
का साला - पिछले 20 महीनों में घोषा गया है,
वह आप को भी मालूम है । पखवारों
में कुछ छप नहीं सकता था कि कौन कीजर
कहां पर बन्द है, और किस पर क्या
जुम्न हुआ है । कोई भादमी अगर जेल में
मर गया है, तो वह नहीं छप सकता और
किसी को एक जेल में दूसरी जेल में भेज
दिया गया, तो पखवार में कहीं नहीं वह
छप सकता । इस तरह का समूह पिछले
20 महीनों में पखवारों के साथ हुआ है ।

[बौद्धी धनबाद मिह]

मन्थन महोदय मैं आप का इशारा समझ रहा हूँ और मन्त्री महोदय को सुझाव दे रहा हूँ कि उन्होंने इस बिल का लोकार्पण का आदेश दी ।

SHRI A. K. ROY (Dhanbad) Mr Speaker Sir I am rather amazed to find Congressmen speaking or lecturing on Marxism. I was told that the State has a class character. We were sermonised that in capitalism there cannot be any democracy. We were also told that all the big newspapers are in the pocket of the monopoly houses. We were so surprised and happy. I think, this is the biggest achievement of the Emergency that Congressmen have turned Marxists.

I would like to tell you that it is true and we also know that freedom of the press does not mean freedom of the people to express their views. We also know that the press and all the big newspapers are in the hands of some fortunate few who are intelligent enough to give publicity to their own men even today. This was the case before Emergency and this is the case after Emergency. This was the case during Emergency but in an accentuated way. May I ask my young friends who are talking that there cannot be true democracy in capitalism as to what do we prefer dictatorship of the monopolists or the so called democracy of the monopolists where you get some chance by using their contradictions to vent your views? We prefer bourgeois democracy to bourgeois dictatorship.

On this basis I would like to express my views. What for was the censorship imposed? Was it to check the monopoly houses? No. It was to throttle and choke the people. I have come from Dhanbad, one of the biggest industrial complexes in the country. I had to contest the elections from jail. I was released from jail

two days after the result of the election was declared. I remained in jail. Even before that my family could not know that I was in jail. Not only that. As soon as the Emergency was declared, they choked the Harijans and the Adivasis. They said that to curb the monopolists, they had imposed press censorship. In Dhanbad, we have found what they did. They choked the workmen, they dismissed them. The day the Emergency was declared two Harijans were murdered. When we approached the Press at least to publish it because while you people were trumpeting that you were upholding the interests of Harijans and Adivasis, the very day of the declaration of Emergency was desecrated with the murder of a Harijan, they said that since press censorship was there they could not help. Colliery after colliery was attacked by goondas and when we asked them to publish it and focus attention on it as production was being hampered while you wanted more and more production for the maintenance of the country they said they could not publish it because there was press censorship and that if we should press them further they would themselves become victims. That is why you imposed press censorship. When I was in jail all the prisoners used to be tortured regularly. One of our oldest friends whom we used to respect, a Moulana Sahib, was arrested though he was a symbol of harmony, in the name of being a member of the Jamia Islamia. He was 80 years old but he was assaulted with lathis. Ultimately he fell ill and the Government secretly arranged for his burial on their own initiative when they found that he was to die soon. He was secretly thrown out of the jail and after a week he died in hospital. But not a word about this came in the press. That is why press censorship was imposed. In this way I can give you a series of examples. We had to spend perhaps one of our longest periods in jail. That is why I say, in this bourgeois system, in the capitalist system, we know that the

State power is in the hands of the 'owning' class. Of course the Judiciary is also not sacrosanct because they are also people with a particular class interest and a class outlook, they are not angles as they have not fallen from the heavens. But despite all these things, even in this system, while the Congressmen were talking of a classless character of the society, they themselves used this class system in a most offensive way. I may tell you that the Indian people would prefer to fend for themselves rather than suffer dictatorship in the name of socialism and what not. That is why I would like to welcome this Bill. When the press is free to publicise without fear, we will have an opportunity to push forward

SHRI NARENDRA P NATH-WANI (Junagadh) Mr Speaker, Sir, I rise to support the Bill. I am rather surprised about the manner in which some Members from the opposite side tried to explain away the existence of this measure or its inclusion in the Constitution itself. Some of them argued and told this House that this Act was a corollary to the Emergency. No. It has been made a permanent and a part of the Constitution, not merely it is a permanent Statute but it has been included in 9th Schedule. Of course there was other set of rules—Defence of India Rules—under which during the Emergency, restrictions on the press were imposed. It was visualised that even if Emergency was *revoked* still control over the press had to be exercised. With that end in view, this measure was enacted. We all know how the power thus taken by the erstwhile Congress Government came to be exercised. I want to refer to two cases in which I had occasion as a counsel

Everybody here and also abroad knows about the Navjivan Trust. It has published 600 volumes of books out of which 500 deal with, or per-

tain to, Gandhiji's speeches, writings etc. One day, suddenly, without any notice, without any warning whatsoever Navjivan Press came to be sealed under an order from the Government. At that time when they asked for reason for such action, no explanation or reason was given. But thereafter the concerned authorities were pleased to say that the Navjivan Trust had published a book and, therefore, it was being forfeited. Let us try to see what was the nature of this book. It was nothing else than the verbatim report of the judgment given by the Gujarat High Court in Bhumiputra case. Bhumiputra had published a report of the speech delivered by **Shri M C Chagla** at a seminar held at Ahmedabad. Action was taken against Bhumiputra by the authorities. They sealed the press. Bhumiputra filed a writ petition in the Gujarat High Court and the Gujarat High Court gave its decision holding that the complained article did not fall within the prohibition under law. Rigid censorship rules had been prescribed, still, the publication of this article by Bhumiputra did not violate those rules. That was the judgment given, and the Navjivan press did nothing else than to publish the whole judgment in its entirety, in deference to the public demand to read that judgment. For publication, without any warning as I said earlier the Navjivan press came to be forfeited. I along with my learned friend **Shri Sohrabji**, as counsel advised Navjivan Trust to file a writ petition in the Gujarat High Court challenging this action of the Government. And I need only say that even before the case was taken up for hearing, the Government advocate on the other side asked the High Court to adjourn it for some hours because Government had second thoughts about it and after the lunch interval he came and told the court that Government was pleased to withdraw the order. This is how things were considered pre-judicial or objectionable or coming

[चौधरी बलराम सिंह]

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[Shri Narendra P Nathwani]

in the way of internal security or what standards were applied.

Sir, I want to tell you something more about this case

I know that the officer who passed this order had some compunctions—qualms of conscience. He thought that he would become notorious throughout the world for ages if he passed such an order. When he was asked to pass the order he wrote a note that what he was asked to do was against law and there was no justification, and yet he was told by the censors authority that he should do according to the instructions given to him. It is not the wording or the phraseology standing by itself which was considered but the manner in which provisions were implemented.

There is another interesting case which I would like to tell to the House. I can go on giving facts of cases which form part of record the proceedings of several High Courts. It is not something which I can try to draw on my imagination. I want to tell you about the case of Indian Express Friends opposite ask whether am a friend of Shri R N Goenka. I would like to tell them, whether friend or foe they must recognise one thing that he has stood by the freedom of the press at considerable risk to his person and at considerable risk to his person and at considerable risk. He has discharged his public duty at considerable risk. Let me tell you about the case which forms part of the record of Bombay High Court. Anyone of you who has got any regard for truth for public interest should try to read an affidavit in that case. I would tell how the pre-censorship rules and press restrictions were operated to the prejudice of the newspapers who tried to do their duty within the four corners of these rigid rules. The case that I am going to tell you about is illustrative. This is a part of that affidavit.

In order to take over the control and management of Bombay office of the Indian Express Government managed to get some of its nominees appointed on the Board of Directors. The Chairman was Shri K. K. Birla. He said that editor should go the next man should also go and someone who was fourth or fifth according to seniority should be made the editor. This was objected to. What happened then? The Government the censorship authorities used to ask the newspapers for submission of galleys or proof of material that was going to be printed and published. Other two leading newspapers besides Indian Express are the Times of India and Free Press. The Indian Express management as well as that of two other Newspapers used to submit their copy for being scrutinised to the authorities. What happened then is most interesting. The two other newspapers would get back their copies after checking before 1200 O'clock with the result that they would be able to bring out their papers at about 500 O'clock in the morning and these were available to the public in the morning. But so far as Indian Express was concerned, copy approved by the censorship authorities was not returned till 800 O'clock next morning and the result was that the paper which was expected to be available at 500 or 600 O'clock in the morning could only come up in the afternoon to the public. Express could not compete with the other newspapers, naturally with the result that Shri Ramnath Goenka filed a writ petition in the Bombay High Court.

If I had the time I would tell the House how during the last 19 months, not merely the freedom of the Press but the independence of the Judiciary—I am referring to the Judiciary—was undermined and how its independence and integrity were also undermined. The matter came before a Judge sitting on the Original Side. May I say that I am an ex-Judge of the Bombay High Court and so I know in what frame of mind the Judges were placed

during the emergency—the learned Judge hearing this petition on the Original Side could do nothing but pass an order referring it to a Division Bench consisting of the Chief Justice and Mr Justice Tuljapurkar, he refused to pass any interim order So, the *Indian Express* suffered for a number of days It could not publish its morning paper When the matter came before the Division Bench, Mr Ramnath Podar was advised to take courage, further courage

AN HON MEMBER It is Mr Ramnath Goenka not Mr Ramnath Podar

SHRI NARENDRA P NATHWANI I am sorry Both are my personal friends Let it be known I am not afraid of it He has tried to search my records

MR SPEAKER I am glad the Birlas are not your friends They are very happy that they are friends Mr K K Birla is your great friend If he admits that Mr Goenka is his friend there is nothing insulting I am happy about it But you do not have the courage at least to say that Mr Birla is your friend.

SHRI NARENDRA P NATHWANI It is a matter of personal knowledge I also know this You should also know that the husband of the former Prime Minister of India was also a friend of Shri Ramnath Goenka.

To resume my narration, at that stage Shri Goenka filed an affidavit on oath What I am stating is derived from that affidavit in which he has stated that after the emergency, he was asked to submit to certain nominees of the government become Directors and to take charge of the paper and if he did not comply with, the result would be that not only he but his son and daughter-in-law would be arrested under MISA and he has also mentioned the name of the Minister who held out this threat

So, the matter became very critical for the government They had to meet that allegation in affidavit by filing an affidavit in reply and if that thing had happened, certainly, the court would have gone into that disputed question of fact, whether such a threat was held out or not The Government was obviously afraid of doing it They knew that the truth would come out So they considered discretion to be the better part of valour and did not file a counter affidavit They merely stated to the court to this effect we do not want to dispute this writ petition and we promise that we would return the material or proofs of the paper within time And thereafter not only did they return it within time but they did not care to scrutinise the same

That is—I am saying—how this power of trying to control and reform the Press has been exercised. And the most sinister part of the whole thing is that all these steps were taken to curb the Press and prevent the people from knowing the truth—Why? In the name of strengthening the Press and strengthening democracy This is the most sinister part How puerile, juvenile and childish attempts were made not to allow the people know the correct facts even where no politics was involved and where no question of raising a voice of dissent was involved To what extent have they gone? May I give another illustration?

I appeared as Counsel in one case A daily newspaper of Rajkot used to publish very useful items of news For instance once they published a news item that in a village near Surendranagar there was scarcity of water and that the authorities should look into it because the people were experiencing difficulty or hardship The Editor was asked not to publish such reports The Editor submitted his explanation He said in his explanation that it was truth. He said, if it was false and if there was no.

[Shri Narendra P Nathwani]

substance in it he would be most willing to withdraw that statement. But they said no. He was told 'You must not publish truth, even slightest difficulty people experience should not be published during emergency. Any inconvenience should not be published. That is how the press was sought to be checked.'

MR SPEAKER All these things are known to everybody. Please conclude. Since of emergency are known to both sides of the House. Kindly conclude.

SHRI NARENDRA P NATHWANI Sir, I am grateful to you for giving me this opportunity. I am saying this because some Members of the opposition said

MR. SPEAKER They are not opposing the Bill.

SHRI NARENDRA P NATHWANI that this was a temporary measure. I wanted to ask them. Having regard to your conduct in the past how after emergency was revoked, you would have exercised your powers under the existing Act? How would you have utilised it? Otherwise where was the necessity of including this Act in the Ninth Schedule to the Constitution?

Before I sit down I would like to tell the House about one fact—which is known to every one both inside this House and outside this House. Unlimited power was taken to curb the Press. Apart from that, they resorted to all sorts of dubious methods by way of withdrawing patronage—by way of withdrawing advertisements to them. Not only State Governments and the Union Government, but even Zilla Parishads and Municipal Corporations (which were under their control) were asked not to give advertisements to those papers which were trying to serve the public

by giving correct news. This is the submission which I wanted to make and I thank you Sir, for the opportunity given to me to take part in this debate.

MR SPEAKER The Bill has been accepted by all corners and I think we must be able to finish it today. Tomorrow also we have got some other business. I appeal to members on this side and that side to be very brief so that we may be able to finish it today.

श्री गौरीशंकर राय (गाजीपुर): अध्यक्ष महोदय, यह सही है कि दोनों घोर से इस बिल के समर्थन के बाद इस पर बोलने की आवश्यकता नहीं थी। मगर विरोधी पक्ष के द्वारा यह कहते हुए भी कि हम इस का समर्थन करते हैं जो तर्क उपस्थित किये गये, उन से ऐसा लगा कि हमारे मित्र इन चीजों महीनो से इस देश में नहीं थे, बल्कि वहाँ बाहर गये हुए थे।

सर्वप्रथम मैं श्री स्टीपन घोर उन के ग्रन्थ दोस्ता को उन की स्वामिभक्ति, लायल्टी, टू दि मास्टर, के लिए धन्यवाद देना चाहता हूँ। हिन्दुआ के एक ग्रन्थ में कहानी है कि एक महापुरुष के साथ मैं उन का नाम नहीं लूंगा—कोई भी नहीं रहा, लेकिन एक स्वामीभक्त जानवर मरते दम तक उन के साथ रहा। हमारे माननीय मित्र इस वक्त भी जो स्वामीभक्ति दिखा रहे हैं उस के लिए वे धन्यवाद के पात्र हैं।

लेकिन इतना मैं आप के जरिए उन से कहना चाहता हूँ कि यह देश उन का भी है, हमारा भी है और सब का है। जब कोई तथ्य सामने रखें तो उस में उन्हें सोचना चाहिए। वे कहते हैं कि प्रधान मंत्री की प्रालोचना करने से देश की इमेज खराब होगी। इतने दिन तक तो इस कल्पना के साथ वे काम करते ही रहे कि प्रधान मंत्री ही देश हैं यहाँ भी राज इसी को दोहरा रहे

हैं जब कि पीपुल्स वर्डिक्ट भा गया । मैं समझता हूँ कि अगर प्रधान मंत्री के गन्दे काम के लिए प्रधान मंत्री की भालोचना की जाय अपनी ड्यूटी के लिए तो देश की इमेज बढेगी । निक्शन के निवालेन मे अमेरिका की इमेज घटी नहीं बल्कि अमेरिका के लोगो की नैतिकता और उन की शान दुनिया मे बडी है । जब सारे लोगो ने प्रधान मंत्री के व्यवहार के ऊपर, उन के कार्यों के ऊपर अपनी राय दी है तो उस का क्या मतलब है कि उन के हारने से हमारे देश की इमेज घटी है ? नहीं, हमारे देश की इमेज बडी है । मैं अपने मित्रों से कहना चाहता हूँ कि प्रधान मंत्री को देश के साथ आइडेंटिफाई करने का भ्राष्ट्रीय काम, अनपैडिमाटिक काम घब न करे क्योंकि प्रजातन्त्र के देश में यह अनपैडिमाटिक है और अनफेयर है ।

पिछले बीस महीनो मे जो अश्र्ववार की स्थिति थी उस की प्रशंसा करने वाले हमारे नौजवान मित्र उस तरह के अश्र्ववार को मानते हैं । इस उम्र की देख कर आश्चर्य होता है कि उस समय के प्रेस की ये प्रशंसा करते हैं । मान्यवर के सामने शायद पडा हो या न पडा हो, एक हिन्दी का अश्र्ववार मेरे सामने पडा है जिस मे लिखा था कि सजय गांधी ने जिस तरह के कार्यों मे अपना सामाजिक कार्य शुरू किया है वे हमे महात्मा गांधी की याद दिलाते हैं । महात्मा जी ने भी इसी तरह काम शुरू किया था । इस प्रकार के अश्र्ववार छापने की स्वतंत्रता ये चाहते हैं ।

ये हम को कहते हैं कि क्या भोयनबा के दोस्त हा ? हा, जो आजादी की लड़ाई मे भी रहा हो और जो इस गुलामी के मामले मे भी लडा है उस के दोस्त होने मे हम अपने को शर्मिन्दा महसूस नहीं करते हैं । हम शर्मिन्दा महसूस करते हैं इस बात के लिए कि इन की एमर्जेंसी को प्रशंसा करने के लिए बिरला साहब इंग्लैंड मे भी गए और बिरला साहब इन की प्रशंसा करने के लिए चले

हमारे राजदूतावास मे रहे । बडी बन्देम्पचुप्रस लंग्वेज मे बिरला साहब ने प्रशंसा की । हमारे उन के दोस्त होने में हमे शर्मिन्दगी नहीं है लेकिन बिरला के चरण जिह्नों पर चलने मे इन को नाख है । हमारे मित्र ने जैसा कहा है कि उस में उन की सकोच नहीं है । इन की सरकार बिरला के पदबिह्नों की गुलाम रही है उसकी चेरी रही है । ये हमारे मित्र नौजवान लोग हैं लेकिन बिरला के ये गुलाम रह है ।

एक माननीय सदस्य हम बिरला के भी खिलाफ है । बिरला के दोस्त नहीं है ।

श्री गौरी शंकर राय ट्रेजरी बेंच पर जो अभी तक ये वे बिरला के दोस्त नहीं थे, उस की चेरी थे, उस के दासानुदास थे ।

एक बात और कहना चाहना हूँ । इस सन्दर्भ मे एक बात याद आती है कि जब एमर्जेंसी लगी थी तो सारे देश मे दो आवाजें उठी एमर्जेंसी के समर्थन मे । मालूम नहीं इधर हमारे कम्युनिस्ट पार्टी के मित्र यहाँ बैठे हैं या नहीं, लेकिन एमर्जेंसी के समर्थन मे दो आवाजें आई और एक प्रतियोगिता हुई उन मे कि एमर्जेंसी के समर्थन मे कौन आगे जाता है, उस मे कम्युनिस्ट पार्टी के मित्र भी गए प्रधान मंत्री के दरवाजे पर और के० बिरला साहब भी गए, मैं अपने कम्युनिस्ट मित्रों के साथ सहानुभूति प्रकट करता हूँ कि नम्बर 2 पर ये पहुँचे, पहले बिरला साहब ने एमर्जेंसी का समर्थन किया । एमर्जेंसी का गुणगान करने वाले ये प्रगतिशील लोग ? उस प्रगतिशीलता से आज भी ये मुक्त नहीं हुए ।

एक बात मैं यह कहना चाहूँगा कि मान्यवर आप जैसे लोग या बहुत सारे इधर और उधर बैठे हुए लोग जो राष्ट्रीय आन्दोलन की लड़ाई मे रहें हैं और इस मौजूदा गुलामी के खिलाफ लड़ें हैं वे भय मुक्ति की बात करते हैं । हमारे प्रधान मंत्री मोरारजी भाई भय मुक्ति की बात करते हैं । वह भय-मुक्ति तो देश मे हुई लेकिन एक और विरोधी दल को फायदा हुआ । इन

[श्री गौरी शंकर राय]

इन्को लज्जा-मुक्ति भी हो गई। लज्जा-मुक्ति यानी शेम प्रूफ। लज्जा मुक्ति को कभी कभी मैं एक्सप्लेन नहीं कर पाता हूँ, अंग्रेजी में जिस को शेम-प्रूफ कहेंगे। एक ऐसी स्थिति होती है कि बिना स्थिति में मनुष्य होता है, उस में उस को भय नहीं होता, लज्जा नहीं होती, सबोध नहीं होता। तो भय मुक्त तो है ही हमारे इस पक्ष के शासक दल के लोग लेकिन लज्जा-मुक्त न हो यह हमारी प्रार्थना है। हया-कुन मैं नहीं बहूंगा वह अपालिया देदी होगा।

मान्यवर, वे लोग उस प्रेस को मानते हैं जिस प्रेस में क्या क्या हुआ यह आप को मालूम है। अंग्रेजी जमाने में जब आप जैसे लोग गिरफ्तार हुए, महात्मा गांधी गिरफ्तार हुए तो पूरा समाचार छरा। लेकिन इस देश में एमर्जेंसी में गिरफ्तारियों को छापने से भी मना कर दिया गया। आप को याद होगा जब महात्मा श्री बीमार थे प्रहमदावादा जेल में तो रोज मेडिकल वुलेंटिन निकलती थी कि महात्मा श्री का टेम्परेचर आज इतना है। लेकिन जब देश के लोगों ने भ्रम हुआ, हम लोग फरार थे उस समय, लोग विश्वास नहीं करते थे कि अंग्रेज ठीक रिपोर्ट दे रहे है या नहीं तो श्री० सी० राय उन के पास जाए गए और उन के दस्ताखन से वुलेंटिन निकलती थी। लेकिन इस देश में जयप्रकाश नारायण जैसे महान व्यक्ति जेल में बन्द हुए हम लोग भ्रम की भी फरार थे और पता लगाने गए श्री जयप्रकाश नारायण जीवित रहेंगे या नहीं मैं जानकारी के लिए कहता हूँ—जब उन की स्थिति अत्यंत खराब थी और जिस समय इस देश के पुराने गृह मंत्री श्री ब्रह्मानन्द रेड्डी नेस्टेडिंग कमेटी में कहा कि जयप्रकाश नारायण की तबियत ठीक है उस के तीन दिन बाद भ्रष्टाचार स्थिति में वे छोड़े गए। देश के किसी भी व्यक्ति को यह नहीं जानने दिया कि उन की तबियत खराब है। इसके लिए उन्हें नाज है। अगर विरोध पक्ष के लोगों को अपने

बीस महीने के बर्षों के लिए ना है, शर्मिंदगी इनके हिस्से में नहीं है, अपने बीस महीने के कार्यों के लिए शर्मिंदा नहीं है तो हम भारतीय होने के नाते शर्मिंदा हैं। एक देशभक्त होने के नाते हम इसके लिए लज्जित है और शर्मिंदा है। लज्जा से हम डूबे जा रहे हैं।

मुझे कुछ बातों के लिए इस विवाद में उठकर बोलना पड़ा।

MR SPEAKER Please try to conclude There are hardly five minutes left for the Minister to reply. Leave something for him to reply to also Let us pass this Bill by 6 O'clock.

श्री गौरी शंकर राय : मान्यवर, इस घुटन के बाद आप हमारी मजबूरी समझिये जब हमें बोलने की आजादी मिली है तो जो काम इस विषय में इस बीच हुए है उनकी चर्चा देश में होनी चाहिए। ... (संघधान)

अभी हमारे मित्रों ने अध्यक्षों को एडवर्टीजमेंट देने की पालिसी के लिए मानो-पोलिस्ट्स को मना करने की बात की है। मालूम नहीं पिछले 20 महीने में इनको मोनोपोलिस्ट्स से बितनी नफरत रही है—यह मैं नहीं जानता लेकिन यह मैं जानता हूँ कि सजय गांधी के जो अध्यक्ष निकलते थे उनमें एडवर्टीजमेंट के अलावा और कुछ नहीं होता था। (संघधान) चूँकि स्टोफेन साहब ने अभी कहा था इसलिए मैं ने बताया कि ऐसे अध्यक्ष जिनमें सिर्फ एडवर्टीजमेंट्स ही निकलते थे, और कुछ भी नहीं निकलता था उन अध्यक्षों की एडवर्टीजमेंट दिए जाते थे।

मान्यवर, अभी बताया गया "समाचार" के बारे में कि उसकी जो वर्तमान स्थिति है वह बड़ी ग्रांतिकारी है और उसको रचना चाहिए। मैं सरकार से अपील करता चाहता हूँ कि समाचार को जो आज़ा स्थिति है उसको उसकी पुरानी स्थिति में लाकर सारी प्रेस एजेंसीज को मुक्त करें वरना इस देश में प्रेस

गुलाम रह जायेगा। जिस आदर्श स्थिति की कल्पना हमारे मित्र कर रहे हैं यह आदर्श स्थिति उनके दिमाग में होगी या डॉप फिटाने के लिए, फेस सेविंग डिवाइस के लिए और वेवल आगुमेन्ट के लिए आगुमेन्ट दे रहे हैं। वेबल डिक्टेटोरियल बट्टीज में एक् प्रेस एजेंसी होती है। उनका यह कहना कि अपने मन में यह प्रेस एजेंसीज एक् में मर्ज हुई है, सत्य से परे है। मैं निवेदन करूंगा कि सरकार इस बात की शीघ्र व्यवस्था करे ताकि इस देश में प्रखबारनवीस भी हो सकें।

हमारे मित्रों ने कहा कि बकिंग जर्नलिस्ट्स का क्या होगा। पिछले दोस महीने के दौरान बिजला साहब ने भूतपूर्व प्रधान मंत्री के इशारे पर बर्गीज को निकाल दिया—बकिंग जर्नलिस्ट्स के प्रति ऐसा इनका प्रेम रहा है। कितने ही बकिंग जर्नलिस्ट्स पकड़ कर जेल में बन्द कर दिए गए जिनके लिए आज यह मर्ज बहा रहे हैं। मैं विरोध पक्ष से कहूंगा कि खामखाह तर्क के लिए इस बिल का विरोध न करें। पब्लिक बॉर्डर के बाद अपने को बरलें क्योंकि इतिहास बदल गया है।

इन शब्दों के साथ मैं इस बिल का समर्थन करता हूँ और स्वागत करता हूँ।

MR. SPEAKER There are still three more speakers I don't think in the coming five minutes we will be able to finish the speeches of these three speakers and also the Minister. A similar Bill is also there. The next Bill is exactly similar, viz., the Bill to protect the publication of reports of proceedings of Parliament. If we can give them chance tomorrow, we can finish this Bill today and take up the other Bill tomorrow. On that Bill the three friends also can speak. I have no objection. It is the Government that will have to regulate the business. I have particularly no objection. If the Government is prepared to do that, I have absolutely no objection.

AN HON MEMBER I am a publisher of a paper. I may be allowed to speak.

MR. SPEAKER It is between the ruling Party and yourself. That is not my concern. It is the ruling Party and yourself who will have to deal with the matter. I have nothing to say in the matter if you want to talk.

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI) Mr. Speaker, Sir, I am extremely grateful to all the Members who have participated in this debate because so far as this Bill concerned, the support has been unanimous without exception and I am particularly overwhelmed by the kind words that have been spoken about the Janata Government, and about me personally, and I feel proud that in this very important sphere, the Janata Government is redeeming its pledges with such expedition.

I am particularly happy that the Congress Party also has lent support to this Bill. I can't say it fully because from amongst the Congress speakers there was only one who expressed very strong reservations and who felt that the original Bill was correct and it was a corollary to the emergency and now that the emergency has ended, that Bill should also end. That was the only lone voice that I heard from the Congress benches.

My friend from West Bengal will have some reservations of a different nature. But he also felt that it was something undefensible. I am not going to defend it. So, I am satisfied with what we have done by bringing forth this Bill as reflecting the collective wisdom of the nation, not something that we believe in only, but something that the country has believed in right from Independence and except for these 20 months of eclipse—there was an eclipse—and during which eclipse also what I have heard today makes me feel that even the Congress Party did not believe it. The Congress Party only because it was under a pall

[Shri L. K. Advani]

of fear pall of awe it could not speak. Just now a couple of friends said that the Janata Government can even claim the credit of having given time to the Congress Party—Mookam karoti, vachalam. They can claim credit but that credit really goes to the people who have revolted against all that the emergency stood for. So, I would appeal to my friends on the Congress Benches that if we think that this is an occasion for starting a new then we must be prepared to shed all links with whatever happened in the emergency. You cannot maintain that what happened in the emergency was right. This was a corollary to the emergency. Today emergency was over. Therefore it can go. This is not one Bill in itself. I can rattle out a whole chain of laws in the same series a whole chain of constitutional amendments in the same series every one of which I hold was intended to perpetuate the emergency. This Bill also falls in the same category. This Bill is something which has nothing to do with the emergency and I do not say it myself. Mr V C Shukla when he moved this Bill said "I must make it clear that this Bill has nothing to do with the emergency provisions that are in operation today. It has nothing to do with censorship. It is only meant to fortify those people who believe in self discipline".

18 00 hrs.

Mr Stephen is not here. I wish he went through this speech. Some people feel unhappy that we cited the instance of Nazi Germany because Nazi Germany was a horrid image. But people who have gone through the horrors of the last twenty months know what horror can be. If Germany today is what it is it is because it completely snapped its links with Nazi Germany and felt that what happened then was wrong. Even those who may have been participants in the deeds of Nazi Germany in those days feel that they were wrong and they had the courage to honestly admit it. If this is the approach of the

Congress Party, there is no difficulty about it. But the approach that was reflected in Mr Stephens speech distressed me and made me unhappy. I do not feel angry that there was a general desire to justify all that was done. In the present context of things, it is not desirable and it is not good so far as the country is concerned, it is not good for the Congress Party itself.

I do not think that I have much to say on the provisions of the Bill. Everybody had supported it. Some felt that if we passed this Bill it would be licence for the Press media and it was also stated that the Janata Government was under some euphoria and it did not realise what was going to happen six months hereafter. I belong to the journalistic fraternity myself and I am conscious of what is going to happen. By and large I hold that the Indian Press had been a sober and restrained Press. Throughout the world that it is the impression that the Indian Press has produced. In fact there are friends in the west who regard that the Indian Press leans towards the side of timidity. There is no such thing as forthright investigative reporting the kind of thing that happened in American Watergate scandal. It is somewhat significant that in my capacity as Information and Broadcasting Minister I have come to know that the film All the Presidents Men dealing with the water-gate scandal was not allowed to be shown during the Emergency.

SHRI KANWAR LAL GUPTA Can you arrange to show it now?

MR. SPEAKER If anybody shows, he has no objection now.

SHRI L. K. ADVANI I feel that the Press should be guided by a code of conduct and that code should not be prepared by the government and imposed upon them. Let the Press conduct itself. I rely on it and I have full faith in it. I do feel that there is need for self discipline and that the institutional arrangement that we had

earlier should be there I assure this House that in the next session we will see that the Press Council is revived and that the Press Council Bill comes before the House. Something was said about diffusion of press ownership. I have been hearing about it for years. I do not know why the then ruling party did not do it. There are difficulties.

I will not go into this matter in depth as to what can be done to make the Press really free in all respects free primarily from Governmental control and also from the control of money.

MR SPEAKER I think I can put it to vote now.

SHRI L. K. ADVANI So I thank you again for the support you extended to me.

MR. SPEAKER The question is

"That the Bill to repeal the Prevention of Publication of Objectionable Matter Act, 1976 be taken into consideration."

The motion was adopted

MR SPEAKER I find that there are some amendments by Shri Samar Guha and Shri Chandradeo Prasad Verma. But they are not present here to move these amendments. The question is

"The Clauses 2 1 the Enacting Formula and the Title stand part of the Bill

The motion was adopted

Clauses 2 1 the Enacting Formula and the Title were added to the Bill

SHRI L. K. ADVANI I beg to move

"That the Bill be passed"

MR SPEAKER The question is

"That the Bill be passed"

The motion was adopted

18 05 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Thursday April 7 1977/Chaitra 17 1899 (Saka)

CONTENTS

No. 11—Thursday, April 7, 1977/Chaitra 17, 1899 (Saka)

COLUMNS

Short Notice Question No. 4 1—11

Question of Privilege—

Certain remarks by Shri T. N. Kaul on television net work in USA in July 1975 11—12

Papers Laid on the Table 12—36

Assent to Bills 37

Petition *re.* conduct of Chief Minister, certain Ministers and officials of Andhra Pradesh 37—39

Statement *re.* Proposal of Government to order Inquiry into excesses committed during the Emergency. 39—42

Chaudhuri Charan Singh 39—41

Statement *re.* Proposal of Government to order Inquiry into the Death of Dacot Suler Singh in the custody of Delhi Police. 42—44

Chaudhuri Charan Singh 42—44

Statement *re.* Formation and functions of 'Samachar' and its future 44—47

Shri L.K. Advani 44—47

Statement *re.* Allotment of Accommodation to Members of Parliament. 47—49

Shri D N. Tiwary 47—49

Constitution (Forty-third Amendment) Bill—*Introduced.* 49—52

Matters Under Rule 377—

(i) Income Tax Raid on the office of AVARD 52—60

Shri Jyotirmoy Bosu 53—55

(ii) Complaints about malpractices during the Lok Sabha elections. 61—64

Shri Shyamnandan Mishra 61—64

Statement re Crash of an aircraft of National Remote Sensing Agency near Ongola, Andhra Pradesh	60—61
Shri Purushottam Kaushik	60—61
Parliamentary Proceedings (Protection of Publication) Bill—	
Motion to consider	64—115
Shri L. K. Advani	64—67
Shri Parimalarayan Sinha	67—70
Shri J. Rameshwar Rao	70—74
Shri Laxmi Narain Nayak	74—76
Shri Vayalar Ravi	76—81
Shri Keshavrao Dhondge	81—84
Shri Somnath Chatterjee	84—89
Shri C M. Stephen	90—95
Shri Ramjee Singh	95—98
Shri C. K. Chandrappa	98—101
Prof. P. G. Mavalankar	101—104
Shri Songata Roy	104—107
Clauses 2 to 4 and 1	
Motion to pass	
Shri L. K. Advani	109—115
Statement re. enquiries against AVARD and some other Organisations.	115—116
Chaudhuri Charan Singh	115—116
Statutory Resolution re. Increasing the Export Duty on Coffee, Groundnut Kernel, Groundnut Shell and Cardamom—Adopted	117—118
Shri H. M. Patel	117—119
Shri Chandra Gowda	120—23
Shri A. C. George	123—26
Shri Dharmasubhai Patel	126—28

Shri C M Stephen	128—30
Shri C.K. Chandrappan	130—32
Shri Vayalar Ravi	132—34
Shri Nathu Ram Mirdha	134—35
Shri M. Ram Gopal Reddy	135—36
Message from the Vice-President Acting as President.	141
Government of Union Territories (Amendment) Bill—	
Motion to consider—	142—60
Chaudhuri Charan Singh	142—43
Dr. Henry Austin	143—45
Shri Amrut Kasar	146—47
Shri Eduardo Falcão	147—49
Shri Krishna Chandra Halder	149—52
Shri Karpoori Thakur	152—55
Prof Shibban Lal Saxena	155
Shri Nathu Ram Mirdha	155—58
Clauses 2, 3 and 1	
Motion to pass, as amended	
Chaudhuri Charan Singh	158—60
Delhi Administration (Amendment) Bill—	
Motion to consider	161
Chaudhuri Charan Singh	161
Dr. Henry Austin	161
Shri Vijay Kumar Malhotra	163—66
Chaudhuri Brahm Perkash	166—68
Shri K. Lakkappa	168—70
Shri Shiv Narain Sarsonia	170—72
Shri Kishor Lal	172—75
Clauses 2, 3 and 1	
Motion to pass	
Chaudhuri Charan Singh	175—80

Disputed Elections (Prime Minister and Speaker) Bill—

Motion to consider	.	.	.	.	.	.	180—204
Shri Shanti Bhushan	.	.	.	.	.	.	180—83
Shri O V Alagesaai	.	.	.	.	.	.	183—85
Shri Hari Vishnu Kamath	.	.	.	.	.	.	185—89
Shri Somnath Chatterjee	.	.	.	.	.	.	189—91
Shri Harikesh Bahadur	.	.	.	.	.	.	191—93
Shri Sheo Narain	193—94

Clauses 2 to 28 and 1

Motion to pass

Shri Shanti Bhushan	194—204
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Food Corporation (Amendment) Bill—

Motion to consider as passed by Rajya Sabha	204—221
Shri Prakash Singh Badal	.	.	.	.	.	.	204—206
Shri Anasaheb Shinde	.	.	.	.	.	.	206—210
Shri Samar Guha	.	.	.	.	.	.	210—12
Shri K. Lakkappa	.	.	.	.	.	.	212—13
Shri Ugrasen	.	.	.	.	.	.	213—14
Shri K. Suryanarayana	.	.	.	.	.	.	214—16
Shri Shyamaprasanna Bhattacharyya	.	.	.	.	.	.	216—17
Shri Chitta Basu	217—18

Clauses 2, 3 and 1

Motion to pass

Shri Prakash Singh Badal	218—20
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Statutory Resolution *Re* Increase in Maximum Guarantee Limit in Respect of Central Cooperative Banks and the Tamil Nadu State Cooperative Bank—*Adopted*

	.	.	.	.	.	.	221—26
Shri Prakash Singh Badal	221—224-25
Shri O V. Alagesan	221—23
Shri M. Kalyanasundaram	223—24

LOK SABHA DEBATES

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2

LOK SABHA

Thursday April 7 1977/Chaitra 17,
1899 (Saka)

The Lok Sabha met at
Eleven of the Clock

[MR SPEAKER in the Chair]

ORAL ANSWER TO QUESTION

SHORT NOTICE QUESTION

Regularization of Unauthorized colonies

SNQ 4 SHRI KANWAR LAL GUPTA Will the Minister of WORKS AND HOUSING AND SUPPLY AND REHABILITATION be pleased to state

(a) what is the policy of the Government regarding the regularization of unauthorised colonies

(b) does Government propose to change the Master Plan and

(c) if so will Government announce to set up a Committee to suggest necessary changes in the Master Plan?

THE MINISTER OF WORKS AND HOUSING AND SUPPLY AND REHABILITATION (SHRI SIKANDAR BAKHT) (a) It was decided by Government in February, 1977 to regularise the various unauthorised colonies in Delhi subject to certain terms and conditions. Copy of the orders issued is placed on the Table of the House [Placed in Library See No LT 223/77]

(b) Wherever such regularisation is considered necessary and is feasible in accordance with the terms and

conditions stipulated change of land use will be considered on merits for being incorporated in the Zonal Development Plan/Master Plan.

(c) A High Level Implementation Body is to be set up to watch the progress of regularisation and development of unauthorised colonies in accordance with the policy laid down by Government

श्री कवर लाल गुप्त पिछले बीस महीने करीब छાઠ સાથે લોગો કો પુરાની સરકાર ને ડઝાડ કર દૂર ફેંક દિયા હૈ ધીર કરોડો રૂપયે કો સમ્પત્તિ નષ્ટ હસ પ્રકાર સે હુઈ હૈ, ડિમાલિશન કો વજહ સે હુઈ હૈ । વહા ડનકો ફેંકા ગયા હૈ જહા રૈસિલ્ એમેનેટીઝ ધી નહી હૈ ધીર હસાન હૈવાતો કો તરહ રહ રહે હૈ । કયા મત્રી જી વતાયેંગે કિ કયા યહ ટીલ નહી હૈ કિ યે સલ ડિસિશન 1974 મે પ્રધાન મત્રી કો મોજૂદગી મે ડી ડી એ કે અક્સરો કી મોજૂદગી મે, લિલ્ યલ્ યે ધીર યહ સલ કિયા ગયા યા કિ 1971 કે પહલે કે ધી જિતને વસ્ટ્રક્શન હૈ ડનકો તોડ દિયા જાલ્, વાલ્મ કર દિયા જાલ્ । મૈં જાનતા ચાહતા હુ કિ યહ નિર્ણય કયા પ્રધાન મત્રી કી મોજૂદગી મે નહી હુમા યા ।

યહ જો ઇમ્પ્લેમેન્ટેશન ગાડી હૈ યહ કલ્ તલ્ વન જાલ્ગી ?

કયા ધાપ કોઈ ડેડ સાઈન પિક્સ કર સકતે હૈ જલ્ તલ્ હન ચાલોનીઝ કો રેમ્યુ-લેરાટ્ઝ કર દિયા જાલ્ગા ?

SHRI SIKANDAR BAKHT The decision of demolition was taken at a meeting held in the then Prime Ministers room during the first half

of July 1974. The high level implementation body will be set up very soon.

SHRI KANWAR LAL GUPTA Can you fix some deadline for regularisation?

SHRI SIKANDAR BAKHT I cannot give a deadline just now.

श्री कवर लाल गुप्त क्या मंत्री महोदय एम्प्लॉय करेगे हाउस को कि मास्टर प्लान में बदल होगी और लैंड यूज में भी बदल होगी? शास्त्री नगर जैसी बहुत सी कालोनीज हैं जिन को मास्टर प्लान में रेजीडेंशियल एरिया नहीं बताया गया है लेकिन हा कम से कम सा 5 सत्तर हजार को प्रावादी है और करोड़ों रुपया लगा हुआ है क्या उन कालोनीज के लैंड यूज को आप चेंज करेगे और एम्प्लॉय करेगे कि इस प्रकार की जो बड़ी बड़ी कालोनीज है वे डिमालिश नहीं की जाएगी।

कई माफिड वाला को भी पहले वाली सरकार ने हटा कर दूर पैक दिया था जहां पर एमप्लॉय नहीं है। क्या आपने पता लगाया है कि वहां पर क्या क्या एम्प्लॉय की जानी चाहिए। वहां पानी, सड़कें, ड्रेनेज नहीं हैं। मैं जानना चाहता हू कि क्या आप उनका सर्वे करेगी और वहां जो बहरी चीजें हैं वे मुहैया करेगे?

पिछली सरकार ने स्तम्भ हो हटाया। उन लोगों के पक्के मकान वहां पर थे। मैं जानना चाहता हू कि उनको वही पर क्वार्टर बना करके वे क्वार्टर उनको वही पर दिए जाएंगे?

SHRI SIKANDAR BAKHT With your permission, I have already answered first two questions that the use of the land will be considered on merits and changes will be made. In regard to part (c) I have said that the development of unauthorised colonies will be made in accordance with the policy laid down by Government. It has also been committed

by the Government that those who have been displaced from residential areas, will be re settled in the same areas.

SHRI JAGANNATH RAO After the lifting of the emergency many Juggi Jhopris have come up in a mushroom way. Will the Government see that they will be demolished after providing basic amenities to these people?

SHRI SIKANDAR BAKHT It is receiving the attention of the Government.

पक्षित डो० एन० तिमारी 1975-76 में कई कोलोनीज को बुलडोजर्स ने गिरा दिया गया था और उनमें कुछ मकान अभी स्टैंडिंग हैं। जिनके मकान तोड़ दिये गये उन में से कुछ लोगों का दूसरी जगह मकान या जमीन दी गई कुछ को नहीं दी गई। तो क्या मंत्री जी ऐसे कैंसेज को एग्जामिन करेगे प्री? जिनके मकान तोड़ दिए गए हैं उनकी राहत देने का कुछ इन्जाम करेगे?

श्री सिकन्दर बख्त जी हाँ।

SHRI P. RAJAGOPAL NAIDU Will the Government provide alternative arrangements to the displaced persons?

SHRI SIKANDAR BAKHT Yes.

श्री यमुना प्रसाद शास्त्री मैं मंत्री जी से जानना चाहता हू कि जिन लोगों ने घर गिराये गये हैं उन लोगों को क्या सरकार मुआवजा देने पर विचार कर रही है? और दूसरी बात यह है कि बहुत सी राज्य सरकारों ने भी इस इमरजेंसी के दौरान बिना मदालतों का निर्णय लिए हुए जबरदस्ती लोगों के घरों को गिरा दिया है। क्या केन्द्रीय सरकार उन राज्य सरकारों को भी यह निर्देश देगी कि जिन लोगों के इस तरह से घर गिराये गये हैं बिना न्यायालयों के आदेश, वे उन लोगों को घर बनाने के लिए और जो घर गिराये गये हैं उनकी क्षतिपूर्ति के लिए राज्य

सरकार समुचित सहायता दे और क्षतिपूर्ति करे। क्या इस तरह का निर्देश सरकार देने जा रही है ?

श्री सिकन्दर बख्त अभी तक मैं इस सवाल को देख नहीं सका हूँ।

श्री रमना प्रसाद शास्त्री जो प्रश्न यहाँ पूछा गया है यह उसी से पैदा होता है।

श्री सिकन्दर बख्त सवाल का पहलू यह है कि कुछ लोगों के मकानात को न जायज तौर पर गिराया गया है। इस नवाब के पहलू का एग्जामिन करने की ज़रूरत है जिसको देखा जाएगा उस के बाद ही मैं कुछ कह सकूंगा।

PROF P G MAVALANKAR I want to know whether it is a fact that nearly a million people are involved in this kind of displacement in view of the large numbers involved may I know whether the Government would see to it that those people who have been evicted from their old places would be brought back in their respective colonies if at all feasible? And with regard to those who will be left out and those who are in the unauthorised colonies will the Government see to it that basic amenities are given to them? Will the Government also see to it that cheap transport facility is available to them so that they can come from long distances to their places of work?

SHRI SIKANDAR BAKHT For the first part figures are not available with me For second and third, yes

श्री हुकूम चंद कटुआय देश व बड़े बड़े महानगरों में बहुत बड़ी सड़ियाँ हैं ऐसी बस्तियाँ हैं जो गैर-कानूनी हैं, परन्तु उनको बिजली और पानी दिया हुआ है। मैं जानना चाहता हूँ कि जब वह गैर-कानूनी हैं तो उनको बिजली और पानी क्या दिया गया। यदि यह सविधाएँ दी गई हैं

तो क्या सरकार ने राज्य सरकारों को आदेश दिये हैं कि उन्हें अब न उखाड़ा जाये और वहाँ उन्हें मजूरी दी जाये ?

देहाती की जगता अधिकतर शहरों की तरफ भाग रही है इसी कारण इन बस्तियों का निर्माण होता है। क्या सरकार ऐसा कोई प्रयास कर रही है जिससे देहाता भी भी अच्छे मकान हा और लोग वहाँ रह सकें और वहाँ उन्हें राजगार आदि भी मिलें ?

श्री सिकन्दर बख्त जो आपके सवाल का दूसरा हिस्सा है वह अभी तक मेरी तरफ से नहीं आया है। जहाँ तक आपका सवाल के पहले हिस्से का ताल्लुक है, यह सवाल दिल्ली से ज्यादा संबंधित है।

श्री हुकूम चंद कटुआय अध्यक्ष महादय, इस प्रश्न में यह नहीं नहीं निज़ा है कि यह दिल्ली से संबंधित है। मंत्री महादय प्रश्न समझे नहीं और वह गलत बयान दें इससे क्या बात बनती है। इस प्रश्न में दिल्ली का कहीं रिश्ता नहीं है।

SHRI SIKANDAR BAKHT The hon Member is correct Sir

श्री एम० राम गोपाल रेड्डी गुजिश्ता इल्लरशन में दिल्ली व निवासियों ने जनता पार्टी को वोट इस उम्मीद पर दिये हैं कि जो लोग दूर दूर चले गये हैं स्लम डवलस रहे हैं उनको उनकी पुरानी बस्तियाँ में लाया जायेगा। मैं मंत्री महादय से जानना चाहता हूँ कि उनकी उस उम्मीद को पूरा करने के लिये क्या किया गया है ? क्या उन बाहर निकाले गये स्लम डवलस को फिर वापस लायेंगे ?

श्री सिकन्दर बख्त व लोग वापस लाये जायेंगे।

श्री मोरेन्द्र प्रसाद मैं यह जानना चाहता हूँ कि मास्टर प्लान के अन्तर्गत कितनी

पैमिलीज के मकानात गिरा दिये गये हैं ? जिनके मकान गिराये गये हैं, उनके लिये सरकार ने क्या व्यवस्था की है और कहाँ की है ?

श्री सिकन्दर बात : जिनकी पैमिलीज के मकानात गिराये गये हैं, उनकी लावारत तो बना नहीं सनता हूँ, लेकिन इतना जरूर किया गया है कि जो रिसेटलमेंट के हालात इस वक़्त हैं, उनको दूरत करने की कोशिश की जा रही है। दूसरे यह कि जो रेजिस्ट्रेशन एरिया के लोग हटाये गये हैं, उनको फिर वहाँ लाकर बसाया जायेगा।

डा० सुदीता नायर : मैं यह जानना चाहती हूँ कि कई जगह जहाँ से हुगो शोपटी बाल पे या इस तरह की अनएगोराइज्ड बस्तियाँ थीं जो उठाई गईं वहाँ पर कुछ समाज सेवा मन्त्रालय इन से बच्चों की शिक्षा स्वास्थ्य इत्यादि के लिए काम कर रही थी, अब जहाँ वे ले जाए गए हैं वहाँ पर उन मन्त्रालयों को भी जगह मिलनी चाहिए जिस से वे उनकी सेवा कर सकें और वे इस की मांग भी कर रही हैं, तो उस के बारे में मंत्री महोदय कुछ तबज़्जुस देंगे ? वहाँ पर बहुत डिस्ट्रिबुटिशन हुआ है। पाँच बन्दी की बग़ल से कुछ को दिया है कुछ को नहीं दिया है।

श्री सिकन्दर बात : अगर वहाँ उन के पास जगह थी तो यहाँ भी दी जायेगी।

श्री मुहम्मद दाफ़ी कुरैशी : मंत्री महोदय मैं अपने जवाब में कहा कि कुछ लोगों की नाज़ायज तरीक़े से हटाया गया है जिस का लाज़िमी नतीजा यह होता है कि कुछ लोगों को जायज तरीक़े से हटाया गया है। मैंने उन्होंने कहा कि सब को वापस लाया जाएगा। तो क्या जिन को जायज तरीक़े से हटाया गया है उन को भी और जिन को नाज़ायज तरीक़े से हटाया गया है उन को भी वापस लाया जायेगा ?

श्री सिकन्दर बात : मैं ने धर्ज किया है कि जो लोग दिल्ली के रेजिस्ट्रेशन एरिया में हटाए गए हैं उन को उन एरिया में डेवोलप करने के बाद बसाया जाएगा।

श्री हयनाप सिंह यादव : 'महो महीदय बनाने की कृपा करेंगे कि इन एरिया में जो हज़िरन और गरीब ये उन को बसाने के लिए सरकार क्या इतज़ाम कर रही है ?

श्री सिकन्दर बात : जो धाम लोगों को बसाने के लिए ढंग होगा वहीं उन के लिए भी करता जाएगा।

श्री सुरेन्द्र बिजम : क्या माननीय मंत्री जी यनताने की कृपा करेंगे कि सोन्दरियाण के नाम पर दिल्ली के घलावा लखनऊ, बम्बई आदि नगरों में भी गरीबों को उन्नाह दिया गया है तो उन के पुनर्वास की व्यवस्था के लिए क्या वे समीरता से विचार कर रहे हैं क्योंकि कि सब के पुनर्वास की व्यवस्था के लिए सब के आरंभे रक़्ते करती हैं।

श्री सिकन्दर बात : मैं ने इस सवाल पर दग पहलू से तो और नहीं किया है, लेकिन इस को देखेंगे।

SHRI JYOTIRMOY BOSH: Will the hon Minister kindly tell us as to whether he has received any communication from Syed Abdulla Bukhari who spoke for both Hindus and Muslims about rehabilitation and resettlement of those persons who were bulldozed out of Turkman Gate and Ajmal Khan Road, etc? If so what is the text of the communication and what action has been taken?

SHRI SIKANDAR BAKHT: I have not received any communication.

SHRI SOUGATA ROY: I would like to know from the hon Minister whether the area around Jama Masjid, which used to be very unclean and which is a place of worship, is

proposed to be brought back to its original position. (*Interruptions*)

SHRI VASANT SATHE He had promised during elections that all those persons who were removed from there would be brought back. He wanted to know when are you going to do it?

SHRI SIKANDAR BAKHT This question does not flow from the original Question. (*Interruptions*)

MR. SPEAKER The question is clear as to whether you are going to bring back the slums to the original place. Say either 'yes' or 'no'.

SHRI SIKANDAR BAKHT The changes made around Jama Masjid are of a permanent nature.

DR. BALDEV PRAKASH I would like to know from the hon. Minister whether the persons who have been bulldozed out of Delhi will be given built-up constructed houses or plots or loans to build the houses.

SHRI SIKANDAR BAKHT I have already answered that those areas are going to be re-developed and the persons who were sent away from there are going to be settled in those very spots. There is no question of giving loans to them.

श्री राम कवार बेरवा अध्यक्ष महोदय, मैं आपके द्वारा माननीय मंत्री जी से जानना चाहता हूँ कि जिन गरीब लोगों को, जोकि विल्टिंग वगैरह का काम करते थे, शहर से दूर ले जाकर 20-22 मीन पर डाल दिया गया है और अगर एक बड़े परिवार में चार परिवार थे तो एक परिवार को एक जगह और दूसरे परिवार को दूसरी जगह रखा गया तो क्या सरकार इस बात का ध्यास

देगी कि इस प्रकार की कोई बठिनाई होगी तो उनको एक ही कालोनी में मकान देने की व्यवस्था की जायेगी ताकि वे अच्छी तरह रह सकें ?

SHRI SIKANDAR BAKHT I have not been able to look into that question.

SHRI K. LAKKAPPA The whole question involves politics so far as Delhi is concerned.

MR. SPEAKER Why do you want to add it to that?

SHRI K. LAKKAPPA Regarding hut dwellers pavement dwellers and others the previous Government had taken certain steps to see that their conditions of living were ameliorated. The Master Plan was prepared and its implementation was under progress. I would like to know from the hon. Minister whether the present Government is going to undo the Master Plan prepared by the previous Government to see that the entire question is taken up from the political angle. I would like the hon. Minister to give a categorical assurance that he will not disturb the Master Plan prepared by the previous Government to ameliorate the conditions of living of hut-dwellers pavement dwellers and others.

SHRI SIKANDAR BAKHT The present Government intends to do much more than what the previous Government had done.

श्री गौरी शंकर राय मान्यवर, इस प्रश्न के संबंध में एक भ्रम पैदा हो गया है। विरोध पक्ष के लोग यह नहीं समझते हैं कि रेजिडेंशल एरिया कौन है। मैं माननीय मंत्री महोदय से जानना चाहता हूँ क्या जामा मस्जिद का वह रेजिडेंशल एरिया है जिसमें सबंध में आपने जवाब दिया है ? इस बात को मंत्री महोदय स्पष्ट कर दें।

श्री सिकन्दर बह्त सारी गलतफहमी यही है। जामा मस्जिद का जो एरिया बनाया गया है वह रेजिडेंशियल एरिया नहीं है।

श्री चाद राम मैं सरकार से जानना चाहता हूँ कि जिन लोगों का वहाँ से हटाया गया है क्या उनका मकान बना और बजिनस करन के लिए मानी इमदाद दी जाएगी।

श्री सिकन्दर बह्त अगर वहाँ रहन के लिए ही मकान बनाय जायेंगे तो मकान बनाने के लिए मानी इमदाद देने का सवाल नहीं उठता है।

11.25 hrs.

QUESTION OF PRIVILEGE—contd
CERTAIN REMARKS BY SHRI T. N. KAUL
ON TELEVISION NETWORK IN U.S.A. IN
JULY 1975

MR. SPEAKER On 1st April 1977, Shri Jyotirmoy Bosu sought to raise a question of privilege against Shri T. N. Kaul the then Ambassador of India in U.S.A. for certain remarks made by him on television network in U.S.A. in July, 1975. Shri Bosu stated that Shri Kaul had *inter alia* said that political leaders had not been jailed but detained in houses.

Shri Atal Behari Vajpayee, the Minister of External Affairs made a statement in the House on 1st April, 1977 in regard thereto. He *inter alia*, said that clarification had been called for from Shri Kaul and Shri Kaul's contention was that he had no intention of distorting the facts and that his remarks were based on the information then available with him. Shri Kaul also submitted that if his remarks based on incomplete information had hurt anyone, it was unfortunate but he had no intention of making a wrong statement. Shri Vajpayee had stated that the remarks of Shri Kaul were not based on facts.

I have carefully considered the matter. In order to constitute a breach of privilege the impugned statement should relate to the proceedings of the House or to Members in the discharge of their duties as Members of Parliament. It may be seen that the impugned statement of Shri Kaul related to political leaders and not to Members of Parliament as such although Members of Parliament are also political leaders.

Secondly Shri Kaul's remarks were made in July 1975 when the Fifth Lok Sabha was in existence. The matter cannot be raised as a privilege issue in the Sixth Lok Sabha.

In the circumstances no question of privilege is involved in the matter.

11.27 hrs.

PAPERS LAID ON THE TABLE
CENTRAL ADVISORY COMMITTEE FOR LIGHTHOUSES (PROCEDURAL) RULES 1976 SEAMEN'S P.F. (AMDT) SCHEME 1976 SHIPPING DEVELOPMENT FUND COMMITTEE (E.C.P.F.) RULES, 1976 ANNUAL REPORTS OF POOMPURAM SHIPPING CORP. MADRAS FOR 1975 & 1976 ANNUAL REPORTS OF SHIPPING DEVELOPMENT FUND COMMITTEE FOR 1974-75 AND 1975-76 NOTIFICATIONS re TAMIL NADU MOTOR VEHICLES RULES AND STATEMENTS

THE PRIME MINISTER (SHRI MORARJI DESAI) I beg to lay on the Table—

- (1) A copy of the Central Advisory Committee for Lighthouses (Procedural) Rules, 1976 (Hindi and English versions) published in Notification No. G.S.R. 1734 in Gazette of India dated the 11th December, 1976 under sub-section (3) of section 21 of the Indian Lighthouses Act, 1927 [Placed in Library See No. LT-164/77]

- (2) A copy of the Seamen's Provident Fund (Amendment) Scheme, 1976 (Hindi and English versions) published in Notification No GSR 1284 in Gazette of India dated the 4th September, 1976 under section 24 of the Seamen's Provident Fund Act, 1966 [Placed in Library See No LT 165/77]
- (3) A copy of the Shipping Development Fund Committee (Employees' Contributory Provident Fund) Rules, 1976 (Hindi and English versions) published in Notification No GSR No 93 in Gazette of India dated the 15th January 1977, under sub-section (3) of section 458 of the Merchant Shipping Act, 1958 [Placed in Library See No LT-166/77]
- (4) A copy each of the following papers (Hindi and English versions) under sub-section (3) of section 619A of the Companies Act, 1956 read with clause (c) (iv) of the Proclamation dated the 31st January, 1976 issued by the President in relation to the State of Tamil Nadu —
- (a) Annual Report of the Poompuhar Shipping Corporation, Madras for the period ended 31st March, 1975 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon
- (b) Annual Report of the Poompuhar Shipping Corporation, Madras for the period ended 31st March, 1976 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon
- (5) Two statements (Hindi and English versions) showing reasons for delay in reports mentioned at (4) (a) and (b) above [Placed in Library. See No. LT-167/77]
- (6) A copy each of the following papers (Hindi and English versions) under sub-section (6) of section 16 of the Merchant Shipping Act, 1958 —
- (i) Annual Report of the Shipping Development Fund Committee for the year 1974-75 along with the Audited Accounts
- (ii) Annual Report of the Shipping Development Fund Committee for the year 1975-76 along with the Audited Accounts
- (7) Two statements (Hindi and English versions) showing reasons for delay in laying the reports mentioned at (8) above [Placed in Library See No LT-168/77]
- (8) A copy each of the following Notification (Hindi and English versions) under sub-section (3) of section 133 of the Motor Vehicles Act, 1939 read with clause (c) (iv) of the Proclamation dated the 31st January, 1976 issued by the President in relation to the State of Tamil Nadu —
- (i) GO Ms 2241 published in Tamil Nadu Government Gazette dated the 29th September, 1976 making certain amendment to the Tamil Nadu Motor Vehicles Rules, 1940
- (ii) GO Ms 2579 published in Tamil Nadu Government Gazette dated the 18th October, 1976 making certain amendment to the Tamil Nadu Motor Vehicles Rules, 1940

[Shri Morarji Desai]

- (iii) G O Ms 2614 published in Tamil Nadu Government Gazette dated the 10th November 1976 making certain amendment to the Tamil Nadu Motor Vehicles Rules 1940
- (iv) G O Ms 2668 published in Tamil Nadu Government Gazette dated the 17th November, 1976 making certain amendments to the Tamil Nadu Motor Vehicles Accidents Claims Tribunals Rules, 1961
- (v) G O Ms 66 published in Tamil Nadu Government Gazette dated the 26th January 1977 making certain amendments to the Tamil Nadu Motor Vehicles Rules 1940
- (8) A statement (Hindi and English versions) showing reasons for delay in laying the Notification mentioned at (8) above [Placed in Library See No LT 169/77]

NOTIFICATIONS UNDER TAMIL NADU AGRICULTURAL PRODUCE MARKETS ACT 1959 AND STATEMENT

THE MINISTER OF AGRICULTURE AND IRRIGATION (SHRI PRAKASH SINGH BADAL) I beg to lay on the Table --

A copy each of the following Notifications under sub section (4) of section 29 of the Tamil Nadu Agricultural Produce Markets Act 1959 read with clause (c) (iv) of the Proclamation dated the 31st January 1976 issued by the President in relation to the State of Tamil Nadu,--

- (i) Memo. No 69404/AMI/73-3 published in Tamil Nadu Government Gazette dated the 13th August, 1975
- (ii) Memo No 100402/AMI/73-3 published in Tamil Nadu Govern-

ment Gazette dated in 13th August, 1975

(iii) G O Ms No 759 published in Tamil Nadu Government Gazette dated the 19th May, 1976

(iv) Memo No 76441/AMI/76-3 published in Tamil Nadu Government Gazette dated the 20th October 1976

(v) G O Ms No 1903 published in Tamil Nadu Government Gazette dated the 20th October, 1976

(vi) G O Ms No 1009 published in Tamil Nadu Government Gazette dated the 20th October, 1976

(vii) G O Ms No 1923 published in Tamil Nadu Government Gazette dated the 27th October 1976

(viii) G O Ms No 1941 published in Tamil Nadu Government Gazette dated the 10th November, 1976

(ix) G O Ms. No 1969 published in Tamil Nadu Government Gazette dated the 27th October, 1976

(x) G O Ms 1982 published in Tamil Nadu Government Gazette dated the 3rd November, 1976

(xi) Memo No 49234/AMI/75-II in Tamil Nadu Government Gazette dated the 10th November, 1976

(xii) G O Ms No 2063 published in Tamil Nadu Government Gazette dated the 10th November 1976

(xiii) G O Ms. 2974 published in Tamil Nadu Government Gazette dated the 17th November, 1976

(xiv) G O Ms 2093 published in Tamil Nadu Government Gazette dated the 17th November, 1976

(xv) G O Ms No 2107 published in Tamil Nadu Government Gazette dated the 19th November, 1976

(xvi) G O Ms No 2126 published in Tamil Nadu Government Gazette dated the 24th November, 1976

(xvii) G O Ms No 2235 published in Tamil Nadu Government Gazette dated the 15th December 1976

(xviii) G O Ms No 2335 published in Tamil Nadu Government Gazette dated the 29th December 1976

(xix) G O Ms No 2355 published in Tamil Nadu Government Gazette dated the 5th January 1977

(2) A statement (Hindi and English versions) explaining reasons for not laying the Hindi versions of the above Notification. [Placed in Library See No LT-170/77]

MR. SPEAKER Item No 4 Shri Bahuguna

THE MINISTER OF WORKS AND HOUSING AND SUPPLY AND REHABILITATION (SHRI SIKANDAR BAKHT) With your permission Sir

AN HON MEMBER Where is the permission?

(Interruptions)

REVIEW AND ANNUAL REPORT OF INDO-BURMA PETROLEUM CO LTD., CALCUTTA FOR 1975-76

SHRI SIKANDAR BAKHT On behalf of Shri HN Bahuguna, I beg to lay on the Table —

A copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act 1956 —

(1) Review by the Government on the working of the Indo-Burma Petroleum Company Limited Calcutta for the year 1975-76

(2) Annual Report of the Indo-Burma Petroleum Company Limited Calcutta for the year 1975-76 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon [Placed in Library See No LT-171/77]

MR. SPEAKER Normally the Ministers write to me when they are not here That is the normal practice I hope it will not happen next time

NOTIFICATIONS UNDER URBAN LAND (CEILING AND REGULATION) ACT 1976 TAMIL NADU URBAN LAND (CEILING AND REGULATION) ACT 1976 TAMIL NADU SLUM AREAS (IMPROVEMENT AND CLEARANCE) ACT TAMIL NADU REQUISITIONING AND ACQUISITION OF IMMOVABLE PROPERTY (AMENDMENT) ACT 1977 AND NOTIFICATIONS UNDER TAMIL NADU URBAN LAND TAX ACT 1966 AND STATEMENTS

SHRI SIKANDAR BAKHT I beg to lay on the Table

(1) A copy each of the following Notifications (Hindi and English versions) under sub-section (3) of section 46 of the Urban Land (Ceiling and Regulation) Act 1976

(i) The Urban Land (Ceiling and Regulation) Eighth Amendment Rules, 1976 published in Notification No GSR, 33 in Gazette of India dated the 1st January 1977 together with an explanatory memorandum

(ii) GSR 34 published in Gazette of India dated the 1st January 1977 containing corrigendum to Notification No GSR, 1261 published in Gazette of India dated the 28th August 1976 together with an explanatory memorandum

(iii) S.O 38 published in Gazette of India dated the 1st January, 1977 together with an explanatory memorandum

[Shri Sikandar Bakht]

(iv) The Urban Land (Ceiling and Regulation) Ninth Amendment Rules, 1976 published in Notification No GSR 958(E) in Gazette of India dated the 29th December 1976 together with an explanatory memorandum.

(v) S.O 463 published in Gazette of India dated the 5th February, 1977 together with an explanatory memorandum.

(vi) The Urban Land (Ceiling and Regulation) Tenth Amendment Rules, 1977 published in Notification No GSR 183 in Gazette of India dated the 5th February 1977 together with an explanatory memorandum. [Placed in Library See No LT 172/77]

(2) A copy each of the following Notification under sub-section (3) of section 45 of the Tamil Nadu Urban Land (Ceiling and Regulation) Act, 1976 read with clause (c) (iv) of the Proclamation dated the 31st January 1976 issued by the President in relation to the State of Tamil Nadu —

(i) S.R.O A-387(C)/76 published in Tamil Nadu Government Gazette dated the 19th October, 1976

(ii) G.O Ms No 2275 published in Tamil Nadu Government Gazette dated the 24th November, 1976

(iii) S.R.O A-478(a)/76 published in Tamil Nadu Government Gazette dated the 23rd December, 1976

(iv) S.R.O A-39(b) 77 published in Tamil Nadu Government Gazette dated the 22nd February, 1977

(3) Four statements (Hindi and English versions) explaining reasons for not laying the Hindi versions of the Notifications at (2) above [Placed in Library See No LT 173/77]

(4) A copy each of the following Notification under sub-section (2) of section 70 of the Tamil Nadu Slum Areas (Improvement and Clearance) Act, 1971 read with clause (c) (iv) of the Proclamation dated the 31st January, 1976 issued by the President in relation to the State of Tamil Nadu —

(i) G.O Ms. 43 published in Tamil Nadu Government Gazette dated the 11th February 1976 making certain amendments to the Tamil Nadu Slum Clearance Board Non-Technical Subordinate Service Rules 1972

(ii) G.O Ms 44 published in Tamil Nadu Government Gazette dated the 11th February 1976 making certain amendments to the Tamil Nadu Slum Clearance Board Non-Technical Subordinate Service Rules, 1972

(iii) G.O Ms 689 published in Tamil Nadu Government Gazette dated the 9th June 1976 making certain amendment to the Tamil Nadu Slum Clearance Board Non Technical Subordinate Service Rules 1972.

(iv) G.O Ms 752 published in Tamil Nadu Government Gazette dated the 23rd June, 1976 making certain amendment to the Tamil Nadu Slum Clearance Board Non-Technical Subordinate Service Rules 1972

(v) G.O Ms 753 published in Tamil Nadu Government Gazette dated the 23rd June, 1976 making certain amendment to the Tamil Nadu Slum Clearance Board Engineering Officers Service Rules, 1972

(vi) G.O Ms 843 dated the 16th June 1976 making certain amendments to the Tamil Nadu Slum Clearance Board Non Technical Officers Service Rules, 1972.

(vii) GO Ms 908 dated the 24th June, 1976 making certain amendment to the Tamil Nadu Slum Clearance Board Non-Technical Subordinate Service Rules, 1972

(iv) SRO A 192/76 published in Tamil Nadu Government Gazette dated the 16th June 1976

(viii) GO Ms 1050 published in Tamil Nadu Government Gazette dated the 11th August, 1976 making certain amendments to the Tamil Nadu Slum Clearance Board Service Rules, 1972

(8) A statement (Hindi and English versions) explaining reasons for not laying the Hindi version of the Notification at (7) above [Placed in Library See No LT-176/77]

REPORT ON GENERAL ELECTIONS TO LEGISLATIVE ASSEMBLIES (1970-72), HIGH COURT OF RAJASTHAN (ESTABLISHMENT OF A PERMANENT BENCH AT JAIPUR) ORDER, 1976 COMPANIES (ACCEPTANCE OF DEPOSITS) 3RD AMDT RULES, 1976 AND DELIMITATION OF COUNCIL CONSTITUENCIES (UP) AMDT ORDER, 1977

THE MINISTER OF LAW JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN) I beg to lay on the Table —

(ix) GO Ms. 1207 published in Tamil Nadu Government Gazette dated the 15th October, 1976

(5) A statement (Hindi and English versions) explaining reasons for not laying the Hindi versions of the Notifications at (4) above [Placed in Library See No LT-174/77]

(6) A copy of the Tamil Nadu Requisitioning and Acquisition of Immovable Property (Amendment) Act, 1977, (President's Act, No 6 of 1977) (Hindi and English versions) published in Gazette of India dated the 4th March 1977 [Placed in Library See No LT-175/77]

(1) (a) A copy of the Report on the General Elections to the Legislative Assemblies in India (1970-72) Volume-II (Statistical)

(b) A statement (Hindi and English versions) explaining reasons for not laying simultaneously the Hindi version of the above Report [Placed in Library See No LT-177/77]

(7) A copy each of the following Notifications under sub-section (2) of section 45 of the Tamil Nadu Urban Land Tax Act 1966 read with clause (c) (iv) of the Proclamation dated the 31st January, 1976 issued by the President in relation to the State of Tamil Nadu —

(3) A copy of the High Court of Rajasthan (Establishment of a Permanent Bench at Jaipur) Order 1976 (Hindi and English versions) published in Notification No G.S.R 911(E) in Gazette of India dated the 8th December 1976, issued under section 51 of the States Reorganisation Act, 1956 [Placed in Library See No LT-178/77]

(i) GO Ms No 2014 published in Tamil Nadu Government Gazette dated the 1st October, 1975

(4) A copy of the Companies (Acceptance of Deposits) Third Amendment Rules, 1976 (Hindi and English versions) published in Notification No G.S.R 965(E) in Gazette of India dated the 31st December, 1976 under sub-section (3) of section 642 of the Companies Act 1956 [Placed in Library See No LT-179/77]

(ii) GO Ms 2015 published in Tamil Nadu Government Gazette dated the 1st October, 1975

(iii) GO Ms No 2084 published in Tamil Nadu Government Gazette dated the 29th October, 1975

(5) A copy of the Delimitation of Council Constituencies (Uttar Pra-

desh) Amendment Order 1977 (Hindi and English versions) published in Notification No GSR 123(E) in Gazette of India dated the 23rd March 1977 under sub-section (3) of section 13 of the Representation of the People Act 1950 [Placed in Library See No LT-180/77]

CERTIFIED ACCOUNTS OF NATIONAL INSTITUTE FOR TRAINING IN INDUSTRIAL ENGINEERING, BOMBAY FOR 1975-76 ANNUAL REPORT OF TECHNICAL TEACHERS TRAINING INSTITUTE (EASTERN REGION) CALCUTTA FOR 1975-76 ETC ETC.

THE MINISTER OF EDUCATION
SOCIAL WELFARE AND CULTURE
(SHRI PRATAP CHANDRA CHUD-
DER) I beg to lay on the Table

(1) (i) A copy of the Certified Accounts of the National Institute for Training in Industrial Engineering Bombay for the year 1975-76

(u) A statement (Hindi and English versions) explaining reasons for not laying simultaneously the Hindi version of the above Accounts [Placed in Library See No LT-181/77]

(2) Annual report (Hindi and English versions) of the Technical Teachers Training Institute (Eastern Region) Calcutta for the year 1975-76 [Placed in Library See No LT 182/77]

(3) Annual Report (Hindi and English versions) of the Technical Teachers Training Institute (Western Region) Bhopal, for the year 1975-76 [Placed in Library See No LT 183/77]

(4) A copy of the Annual Report (Hindi and English versions) of the Indian Council of Historical Research for the year 1974-75 under rule 45 of the Memorandum of Association and Rules of the Indian Council of Historical Research [Placed in Library See No LT-184/77]

(5) A copy of the Certified Accounts (Hindi and English versions) of the Indian Council of Historical Research for the year 1974-75 under rule 44(d) of the Memorandum of Association and Rules of the Indian Council of Historical Research [Placed in Library See No LT-185/77]

(6) A copy of the University Grants Commission (Fitness of Certain Universities for Grant) Amendment Rules 1976 (Hindi and English versions) published in Notification No GSR 1747 in Gazette of India dated the 18th December 1976 under sub-section (3) of section 25 of the University Grants Commission Act 1956 [Placed in Library See No LT 186/77]

(7) A copy of the Annual Report (Hindi and English versions) of the School of Planning and Architecture New Delhi for the year 1975-76 [Placed in Library See No LT 187/77]

(8) A copy of the Certified Accounts (Hindi and English versions) of the Jawaharlal Nehru University New Delhi for the year 1974-75 [Placed in Library See No LT-188/77]

(9) A copy each of the following papers under sub-section (4) of section 23 of the Institutes of Technology Act 1961 —

(i) Certified Accounts of the Indian Institute of Technology Delhi for the year 1974-75 along with the Audit Report thereon (Hindi version)

(u) Certified Accounts of the Indian Institute of Technology Madras, for the year 1975-76 along with the Audit Report thereon

(10) A statement (Hindi and English versions) explaining reasons for not laying simultaneously the Hindi version of the document mentioned at 9(ii) above [Placed in Library See No LT-189/77]

(11) A copy each of the following Notifications (Hindi and English versions) under section 54 of the Tamil Nadu Private Colleges (Regulation) Act, 1976 read with clause (c)(iv) of the Proclamation dated the 31st January, 1976 issued by the President in relation to the State of Tamil Nadu

(i) The Tamil Nadu Private Colleges (Regulation) Rules, 1976, published in Notification No GO Ms 1285 in Tamil Nadu Government Gazette dated the 25th June, 1976

(ii) GO Ms No 1286 published in Tamil Nadu Government Gazette dated the 25th June, 1976

(iii) GO Ms No 1287 published in Tamil Nadu Government Gazette dated the 25th June, 1976

(iv) GO Ms No 2216 published in Tamil Nadu Government Gazette dated the 3rd November, 1976

(v) GO Ms No 2477 published in Tamil Nadu Government Gazette dated the 1st December, 1976 [Placed in Library See No LT-190/77]

(12) (i) A copy of the Annual Report (Hindi and English versions) of the Indian Institute of Science, Bangalore, for the year 1975-76.

(ii) A statement (Hindi and English versions) showing reasons for delay in laying the above report. [Placed in Library See No LT-191/77]

(13) A statement (Hindi and English versions) explaining reasons for not laying the Annual Report and Accounts of the Indian Institute of Management, Calcutta for the year 1975-76 within a period of 9 months after the close of the accounting year [Placed in Library See No LT-192/77]

(14) A copy of the Annual Report (Hindi and English versions) of the Indian Institute of Management, Ahmedabad, for the year 1975-76. [Placed in Library See No LT-193/77]

(15) (i) A copy of the Annual Report (Hindi and English versions) of the Indian School of Mines, Dhanbad for the year 1975-76

(ii) A statement (Hindi and English versions) showing reasons for delay in laying the above Report [Placed in Library See No LT-194/77]

VEGETABLE OIL PRODUCT PROCEDURES (REGULATION AND REFINED OIL MANUFACTURE) AUDIT ORDER, 1977, TAMIL NADU COOP SOCIETIES (AMDT) ACT, 1977, TAMIL NADU COOP LAND DEVELOPMENT BANK (AMDT) ACT, 1977, ETC. ETC

THE MINISTER OF ENERGY (SHRI P RAMACHANDRAN) On behalf of Shri Mohan Dharma, 1 beg to lay on the Table

(1) A copy of the Vegetable Oil Product Producers (Regulation of Refined Oil Manufacture) Amendment Order, 1977 (Hindi and English versions) published in Notification No GSR 103(E) in Gazette of India dated the 2nd March, 1977, under sub-section (6) of section 3 of the Essential Commodities Act, 1955 [Placed in Library See No LT-195/77]

(2) A copy each of the following President's Acts (Hindi and English versions) under sub-section (3) of section 3 of the Tamil Nadu State Legislature (Delegation of Powers) Act, 1976

(i) The Tamil Nadu Co-operative Societies (Amendment) Act, 1977 (President's Act No 1 of 1977) published in Gazette of India dated the 10th January, 1977

(ii) The Tamil Nadu Co-operative Land Development Banks (Amendment) Act, 1977 (President's Act No. 2 of

1977) published in Gazette of India dated the 10th January, 1977. [Placed in Library See No LT-196/77]

(3) (i) A copy of the Annual Report of the Tamil Nadu Civil Supplies Corporation Limited Madras for the year 1973-74, along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon under sub-section (3) of section 619A of the Companies Act 1956 read with clause (c) (iv) of the Proclamation dated the 31st January 1976 issued by the President in relation to the State of Tamil Nadu

(ii) A statement (Hindi and English versions) explaining reasons for not laying the Hindi version of the above Report [Placed in Library See No LT 197/77]

(4) A copy each of the following Notifications (Hindi and English versions) under sub-section (4) of section 119 of the Tamil Nadu Co-operative Societies Act 1961 read with clause (c) (iv) of the Proclamation dated the 31st January, 1976 issued by the President in relation to the State of Tamil Nadu

(i) G.O.Ms No 549 published in Tamil Nadu Government Gazette dated the 18th August, 1976

(ii) G.O.Ms No 550 published in Tamil Nadu Government Gazette dated the 18th August, 1976

(iii) G.O.Ms No 731 published in Tamil Nadu Government Gazette dated the 10th November, 1976

(iv) G.O.Ms No 844 published in Tamil Nadu Government Gazette dated the 22nd December, 1976

(v) G.O.Ms No 843 published in Tamil Nadu Government Gazette dated the 22nd December, 1976

(vi) G.O.Ms No 18 published in Tamil Nadu Government Gazette dated the 8th January, 1976 [Placed in Library See No LT-198/77]

(5) A copy each of the following Notifications (Hindi and English versions) under sub-section (2) of section 38A of the Tamil Nadu Co-operative Land Development Banks Act 1934 read with clause (c) (iv) of the Proclamation dated the 31st January, 1976 issued by the President in relation to the State of Tamil Nadu

(i) G.O.Ms No 826 published in Tamil Nadu Government Gazette dated the 15th December, 1976

(ii) G.O.Ms No 36 published in Tamil Nadu Government Gazette dated the 9th February, 1977 [Placed in Library See No LT-199/77]

(6) A statement (Hindi and English versions) showing reasons for delay in laying the Notifications mentioned at (4) and (5) above [Placed in Library See No LT-200/77]

(7) A copy of the Audit Report (Hindi and English versions) on the Accounts of the Tea Board for the year 1974-75 along with the statement of Accounts [Placed in Library See No LT-201/77]

(8) A copy of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956 —

(i) Review by the Government on the working of the State Trading Corporation of India Limited New Delhi, for the year 1975-76

(ii) Annual Report of the State Trading Corporation of India Limited, New Delhi, for the year 1975-76 along with the Audited Accounts and the

comments of the Comptroller and Auditor General thereon. [Placed in Library See No LT 202/77]

(9) A copy of the Tobacco Board (Second Amendment) Rules 1976 (Hindi and English versions) published in Notification No G S R 1576 in Gazette of India dated the 6th November 1976 under sub-section (3) of section 32 of the Tobacco Board Act 1975 [Placed in Library See No LT-203/77]

(10) (i) A copy of Notification No G O Ms 279 published in Tamil Nadu Government Gazette dated the 12th May 1976 making certain amendment to the Tamil Nadu Weights and Measures (Enforcement) Rules 1967 under section 43 of the Tamil Nadu Weights and Measures (Enforcement) Act 1958

(ii) A statement (Hindi and English versions) explaining reasons for not laying the Hindi version of the above Notification

(iii) A statement (Hindi and English versions) showing reasons for delay in laying the Notification mentioned at (i) above [Placed in Library See No LT-204/77]

(11) A copy of the Certified Accounts (Hindi and English versions) of the National Co-operative Development Corporation New Delhi for the year 1975-76 together with the Audit Report thereon under sub-section (4) of section 17 of the National Co-operative Development Corporation Act 1962 [Placed in Library See No LT 205/77]

(12) A copy of the Certified Accounts (Hindi and English versions) of the Cardamom Board Ernakulam for the year 1975-76 and the Audit Report thereon under sub-section (4) of section 19 of the Cardamom Act 1965 [Placed in Library See No LT-206/77]

MR SPEAKER I wish you had come in time

THE MINISTER OF COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION (SHRI MOHAN DHARIA) I am extremely sorry

MR SPEAKER Item No 9

SHRI PRATAP CHANDRA CHUNDER Sir Mr Purushottam Kaushik has already taken your permission He is in the Rajya Sabha

MR SPEAKER Yes he has written to me

ANNUAL REPORT OF INTERNATIONAL AIRPORTS AUTHORITY OF INDIA FOR 1975-76 WITH CERTIFIED ACCOUNTS FOR THE YEAR ENDED 31-3-1976 ANNUAL REPORTS OF AIR INDIA AND INDIAN AIR LINES FOR 1975-76 ETC ETC

SHRI PRATAP CHANDRA CHUNDER On behalf of Shri Purushottam Kaushik I beg to lay on the Table

(1) A copy of the Annual Report (Hindi and English versions) of the International Airports Authority of India for the year 1975-76 under sub-section (2) of section 25 of the International Airports Authority Act 1971 [Placed in Library See No LT 207/77]

(2) A copy of the Certified Accounts (Hindi and English versions) of the International Airports Authority of India for the year ended 31st March 1976 together with the Audit Report thereon under sub-section (4) of section 24 of the International Airports Authority Act 1971 [Placed in Library See No LT-208/77]

(3) A copy each of the following Reports (Hindi and English versions) under sub-section (2) of section 37 of the Air Corporations Act 1953

(i) Annual Report of the Air India for the year 1975-76

- (ii) Annual Report of the Indian Airlines for the year 1975-76 [Placed in Library See No LT-209/77]

(4) A copy each of the following papers (Hindi and English versions) under sub-section (4) of section 15 of the Air Corporations Act 1953

- (i) Certified Accounts of the Air India for the year 1975-76 together with the Audit Report thereon

- (ii) Certified Accounts of the Indian Airlines for the year 1975-76 together with the Audit Report thereon [Placed in Library See No LT-210/77]

(5) A copy each of the following Notifications (Hindi and English versions) under section 14A of the Aircraft Act 1934 —

- (i) The Aircraft (Sixth Amendment) Rules, 1976 published in Notification No G S R 1739 in Gazette of India dated the 11th December, 1976 together with an Explanatory Note

- (ii) The Aircraft (Amendment) Rules 1977 published in Notification No G S R 43(E) in Gazette of India dated the 28th January 1977 together with an Explanatory Note

- (iii) The Aircraft (Second Amendment) Rules 1977 published in Notification No G S R 19(E) dated the 31st January, 1977 together with an Explanatory Note [Placed in Library See No. LT-211/77]

REPORT OF C. & A G OF INDIA FOR 1975-76 UNION GOVT (CIVIL) FOR 1976 (COMMERCIAL), UNION GOVT APPRO-

PRIATION ACCOUNTS (CIVIL) FOR 1975-76 NOTIFICATIONS UNDER CUSTOMS ACT, 1962, ETC ETC

THE MINISTER OF FINANCE (SHRI H M PATEL) I beg to lay on the Table

(1) A copy each of the following papers (Hindi and English versions) under article 151(1) of the Constitution

- (i) Report of the Comptroller and Auditor General of India for the year 1975-76, Union Government (Civil)

- (ii) Report of the Comptroller and Auditor General of India for the year 1976—Union Government (Commercial)—Part II—Central Fisheries Corporation Limited. [Placed in Library See No LT-212/77]

(2) A copy of the Union Government Appropriation Accounts (Civil) for the year 1975-76 (Hindi and English versions) [Placed in Library See No LT-213/77]

(3) A copy each of the following Notifications (Hindi and English versions) under section 159 of the Customs Act, 1962

- (i) G S R 134(E) published in Gazette of India dated the 29th March 1977 together with an explanatory memorandum

- (ii) G S R 135(E) published in Gazette of India dated the 29th March, 1977 containing corrigendum to Notification No G S R 711(E) dated the 2nd August, 1976

- (iii) G S R 146(E) published in Gazette of India dated the 31st March, 1977 together with an explanatory memorandum

- (iv) G S R 147(E) published in Gazette of India dated the

31st March, 1977 together with an explanatory memorandum

(v) G S R 148(E) published in Gazette of India dated the 31st March, 1977 together with an explanatory memorandum

(vi) G S R 149(E) published in Gazette of India dated the 31st March, 1977 together with an explanatory memorandum

(vii) G S R 150(E) published in Gazette of India dated the 31st March, 1977 together with an explanatory memorandum

(viii) G S R 151(E) published in Gazette of India dated the 31st March, 1977 together with an explanatory memorandum

(ix) G S R 166(E) published in Gazette of India dated the 1st April 1977 together with an explanatory memorandum [Placed in Library See No LT-214/77]

(4) A copy of Notification No G S R 153(E) (Hindi and English versions) published in Gazette of India dated the 1st April, 1977 issued under the Central Excise Rules 1944 together with an explanatory memorandum. [Placed in Library See No LT-215/77]

(5) A copy each of the following Notifications (Hindi and English versions) under section 53 of the Central Excises and Salt Act, 1944

(i) The Central Excise (Twenty-eighth Amendment) Rules, 1976 published in Notification No G S R 937(E) in Gazette of India dated the 21st December, 1976 together with an explanatory memorandum

(ii) The Central Excise (Third Amendment) Rules, 1977 published in Notification No G S R 88(E) in Gazette of India dated the 25th February, 1977

(iii) The Central Excise (Seventh Amendment) Rules, 1977 published in Notification No G S R 165(E) in Gazette of India dated the 1st April, 1977

(iv) The Central Excise (Fifth Amendment) Rules 1977 published in Notification No G S R 443 in Gazette of India dated the 2nd April, 1977 [Placed in Library See No LT-216/77]

(6) A copy each of the following Notifications (Hindi and English versions) under sub-section (5) of section 53 of the Tamil Nadu General Sales Tax Act, 1959 read with clause (c)(iv) of the Proclamation dated the 31st January, 1976 issued by the President in relation to the State of Tamil Nadu

(i) G O P s 145 published in Tamil Nadu Government Gazette dated the 23rd February, 1977 making certain amendments to the Tamil Nadu General Sales Tax Rules 1959

(ii) G O P s 77 published in Tamil Nadu Government Gazette dated the 9th March, 1977

(iii) G O P s 162 published in Tamil Nadu Government Gazette dated the 9th March 1977 making certain amendments to the Tamil Nadu General Sales Tax Rules 1959 [Placed in Library See No LT-217/77]

(7) A copy of Notification No F 4(2)/76-Fin(G) (Hindi and English versions) Published in Delhi Gazette dated the 24th March, 1977, under section 72 of the Delhi Sales Tax Act, 1975 [Placed in Library See No. LT-218/77]

REVIEWS AND ANNUAL REPORTS OF
BHARAT OPHTHALMIC GLASS LTD., DURGAPUR
TUNGABHADRA STEEL PRODUCTS
LTD FOR 1975-76, ETC ETC

उद्योग मंत्री (श्री इमृतलाल शर्मा) :
मैं वषर्की प्रतिनिधिम, 1956 की धारा
619F की उपधारा (1) के अन्तर्गत निम्न-
लिखित पत्रा (हिन्दी तथा अंग्रेजी संस्करण)
की एक-एक प्रति सभा पटल पर रखा हूँ —

(1) (i) Review by the Government
on the working of the Bharat Oph-
thalmic Glass Limited Durgapur, for
No LT 219/77]

(ii) Annual Report of the Bharat
Ophthalmic Glass Limited, Durgapur
for the year 1975-76 along with the
Audited Accounts and the comments
of the Comptroller and Auditor General
thereon [Placed in Library See
No LT 219/77]

(2) (i) Review by the Government
on the working of the Tungabhadra
Steel Products Limited for the year
1975-76

(ii) Annual Report of the Tunga-
bhadra Steel Products Limited for the
year 1975-76 along with the Audited
Accounts and the comments of the
Comptroller and Auditor General
thereon. [Placed in Library See
No LT 220/77]

(3) (i) Review by the Government
on the working of the Cement Cor-
poration of India Limited, New Delhi,
for the year 1975-76

(ii) Annual Report of the Cement
Corporation of India Limited, New
Delhi, for the year 1975-76 along with
the Audited Accounts and the com-
ments of the Comptroller and Auditor
General thereon. [Placed in Library
See No LT-221/77]

(4) (i) Review by the Government
on the working of the Bharat Heavy
Plate and Vessels Limited, Visakhap-
atnam, for the year 1975-76

(ii) Annual Report of the Bharat
Heavy Plate and Vessels Limited
Visakhapatnam, for the year 1975-76
along with the Audited Accounts and

the comments of the Comptroller and
Auditor General thereon. [Placed in
Library See No LT-222/77]

(5) (i) Review by the Government
on the working of the Hindustan
Machine Tools Limited, Bangalore for
the year 1975-76

(ii) Annual Report of the Hindustan
Machine Tools Limited, Bangalore, for
the year 1975-76 along with the Au-
dited Accounts and the comments of
the Comptroller and Auditor General
thereon [Placed in Library See No
LT-223/77]

(6) (i) Review by the Government
on the working of the Triveni Struc-
turals Limited, Naini, Allahabad, for
the year 1975-76

(ii) Annual Report of the Triveni
Structurals Limited, Naini, Allahabad,
for the year 1975-76 along with the
Audited Accounts and the comments
of the Comptroller and Auditor Gen-
eral thereon [Placed in Library See
No LT-224/77]

(7) (i) Review by the Government
on the working of the Mining and
Allied Machinery Corporation Limited,
Durgapur, for the year 1975-76

(ii) Annual Report of the Mining
and Allied Machinery Corporation Li-
imited, Durgapur, for the year 1975-76
along with the Audited Accounts and
the comments of the Comptroller and
Auditor General thereon [Placed in
Library See No LT-225/77]

(8) (i) Review by the Government
on the working of the Bharat Pumps
and Compressors Limited, Naini, Alla-
habad, for the year 1975-76

(ii) Annual Report of the Bharat
Pumps and Compressors Limited,
Naini Allahabad, for the year 1975-76
along with the Audited Accounts and
the comments of the Comptroller and
Auditor General thereon. [Placed in
Library See No LT-226/77]

11.29-3/4 hrs.

ASSENT TO BILLS

SECRETARY-GENERAL Sir, I lay on the Table following ten Bills passed by the Houses of Parliament during the current session and assented to since a report was last made to the House on the 29th March 1977

- (1) The Appropriation (Vote on Account) Bill, 1977
- (2) The Appropriation Bill 1977
- (3) The Appropriation (Railways) Vote on Account Bill, 1977
- (4) The Appropriation (Railways) Bill 1977
- (5) The Tamil Nadu Appropriation (Vote on Account) Bill, 1977
- (6) The Tamil Nadu Appropriation Bill, 1977
- (7) The Nagaland Appropriation (Vote on Account) Bill, 1977
- (8) The Nagaland Appropriation Bill, 1977
- (9) The Pondicherry Appropriation (Vote on Account) Bill 1977
- (10) The Pondicherry Appropriation Bill, 1977

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11.30 hrs.

PETITION RE CONDUCT OF CHIEF MINISTER CERTAIN MINISTERS AND OFFICIALS OF ANDHRA PRADESH

SHRI JYOTIRMOY BOSU (Diamond Harbour) Sir, I beg to present a petition signed by Shri Konda Lakshman Bapuji and twenty-one other members of Andhra Pradesh Legislature in respect of the conduct of the Chief Minister, certain Ministers and Government officials of Andhra Pradesh. (Interruptions)

SHRI K LAKKAPPA (Tumkur):
On a point of order

MR. SPEAKER What is your point of order?

SHRI K LAKKAPPA This is under rule 160 There are certain rules laid down for submitting a petition Shri Jyotirmoy Bosu in his petition has raised an objectionable matter It pertains to the functioning of the States The Chief Minister certain Ministers and Government officials of Andhra Pradesh have been involved in this petition Rule 160 clearly says in sub-section (b)

'any matter of general public interest provided that it is not one—

(b) which should ordinarily be raised in a State Legislature'

The subject-matter of this petition relates to the conduct of the Chief Minister certain Ministers and Government officials of Andhra Pradesh It pertains to the State Legislature Therefore my submission is that ordinarily, this can be raised only in the Legislative Assembly there (Interruptions)

MR. SPEAKER Please sit down I have heard your point of order You have yourself said 'ordinarily' Next item

SHRI K LAKKAPPA What is your ruling Sir?

MR. SPEAKER No ruling is required You have yourself said that 'ordinarily' it should be raised in the State Legislature (Interruptions)

All of you may please sit down. It has been raised not once, but many times It is not a new thing I have not created any precedent here It has been raised here earlier also Whether it will be discussed or not is a different matter But I cannot prevent a Member from raising it

Mr Charan Singh (Interrupts)

MR SPEAKER I had gone to Item 14. Everything was over and the Home Minister was on his legs and then it is not proper to go on shouting like this.

THE PRIME MINISTER (SHRI MORARJI DESAI) I appeal to my friends on both sides to observe some decorum. I am not referring to any hon. Member individually. It is not for individual Members to regulate each other. I shall be very thankful to all the hon. Members if they refrain from regulating all these matters between themselves. I would seek the cooperation of the whole House in this matter.

MR SPEAKER I am glad that the Prime Minister has made this request. I do not think all of us could hear what was said after the Home Minister got up. I appeal to both sides not to indulge in cross discussion, because then the trouble starts.

11.36 hrs.

STATEMENT RE PROPOSAL OF GOVERNMENT TO ORDER INQUIRY INTO EXCESSES COMMITTED DURING THE PERIOD OF EMER- GENCY

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH) Sir, we have recently passed through one of the darkest periods of our history. The events following the proclamation of emergency have been a traumatic experience for all those who cherish the high ideals of our founding fathers and leaders of our struggle for independence. This is not so because some of us have undergone personal suffering but because we saw before our own eyes the defilement of all the values for which we have lived and struggled. It is indeed a tribute to the political maturity of the people that there has been a peaceful

and orderly change and that we have now an opportunity to undo the wrongs of the past. We will, however, be failing in our duty if we do not take positive steps to ensure that the events of the recent past are not repeated in future and to expose the abuse of power by a handful of people who had unleashed untold repression and terror on the Nation.

Besides changes in the Constitution and other laws, this objective can be achieved only by bringing to book all those who are guilty of excesses, malpractices and misdeeds during the emergency, from the highest political authority down to the lowest functionary of the Government. We are not acting in a spirit of revenge or in anger (Interruptions) but only redeeming our pledge to the people and fulfilling their mandate (Shri K. Lakshmi). All the guilty men are now in the Government. Even otherwise it is only fate that those who are guilty, do not escape punishment. We want this to be a lesson to all so that in future none may ever misuse authority for personal ends.

We are aware that a large number of officials acted out of fear and under trying circumstances. We have therefore no intention of being vindictive. Nor would we allow any kind of witch hunt. But those few who going on of their way indulged in excesses to please others cannot be allowed to escape the consequences.

The list of misdeeds of the emergency is indeed very large. There have been a large number of cases of gross abuse of the powers of arrest and detention. There have been instances of maltreatment and atrocities on detenus and political prisoners. There has been compulsion and use of force in the implementation of the Family Planning programme leading to a number of violent incidents. In the name of the beautification of cities, there have been illegal demolitions leaving thousands homeless and taking them miles away from their

vocation (Shri K. Lakappa
You have no sympathy for hut
dwellers) Eversince we assumed
office we have been giving anxious
consideration to this matter Keeping
in view the importance of the subject
and the anxiety of the Members of
the House I thought it appropriate to
make a statement defining Govern-
ment's thinking on the subject

We propose to appoint a Commis-
sion of Inquiry under the Commissions
of Inquiry Act 1952 to look into all
complaints of excesses, malpractices
abuse of authority during the emer-
gency and all matters related thereto
The Commission of Inquiry
(Shri Vayalar Ravi of your
choice) will be headed by an
eminent judge The exact terms of
reference and the mode of inquiry
will also be determined after taking
into consideration the advice of the
Chairman of the proposed Commis-
sion of Inquiry

We have already received some
specific allegation which prima facie
seem to deserve an inquiry However
it is likely that due to the fear psy-
chosis created during the emergency
most people suffered in silence and
did not have the courage to represent
their grievances It is intended hence
that the Commission should be in a
position to invite specific complaints
within a specified time limit and
decide which of such allegations
should be inquired into We would
expect the Commission to give its
findings within a period of six
months Also we hope that the Commis-
sion will be able to give interim
reports which may enable us
to initiate follow up action even
before the receipt of the final report.

It is my ardent hope that our
policy will be welcomed by all sec-
tions of the House In particular, I
will request Honourable Members to
extend all possible assistance to the
proposed Commission to enable it to
discharge its onerous responsibilities

SOME HON MEMBERS rose—

SHRI DINEN BHATTACHARYYA
(Serampore) One submission Sir, is
it a fact

MR SPEAKER No please I will
have to ask you to resume your seat
I am on my legs You cannot stand
also Please resume your seat
(Interruptions) Nothing will be taken
down

11 43 hrs

STATEMENT RE PROPOSAL OF
GOVERNMENT TO ORDER IN-
QUIRY INTO THE DEATH OF
DACOIT SUNDER SINGH IN THE
CUSTODY OF DELHI POLICE

THE MINISTER OF HOME AF-
FAIRS (CHAUDHURI CHARAN
SINGH) Sir some doubts have been
expressed regarding circumstances
leading to the death of Shri Sunder
Singh, who was in the custody of the
Delhi Police in connection with a
case under the Indian Arms Act It
is said that he was escorted to the
Tughlakabad Fort area on 24 11 1976
and some arms and ammunition were
recovered on the basis of the infor-
mation disclosed by him Another
case u/s 25/26/27/54/59 of the Indian
Arms Act was registered at PS
Kalkaji Delhi vide FIR No 897 dated
25 11-1976 After the recovery when
the police party was returning to
the East District of Delhi in early
hours of the morning one of the
wheels of the vehicle in which Shri
Sunder Singh was being escorted is
said to have got punctured near the
crematorium ground Geeta Colony The
driver stopped the vehicle Other
members of the party also came down
to help the driver Shri Sunder Singh
is said to have sought permission to
ease himself In order to enable him
to answer the call of nature one of
his hands was released from the
hand-cuffs Taking advantage of the
darkness and the fact that he was at
that time escorted by one SI and one
Constable only he is reported to have

[Chaudhuri Charan Singh]

jerked himself free of the chain tied to the policeman's belt. He is said to have run towards the river. In the early hours of the morning of 20th November, 1976, the police found his body and took it to the hospital where he was declared dead. An inquest into his death was conducted by a magistrate. The post mortem was conducted by Dr Vishnu Kumar of the Maulana Azad College New Delhi.

The CBI has been asked to enquire into the death of Shri Sunder Singh. Necessary instructions in this regard were issued on 30.3.1977. The allegation made in certain quarters that the sister of Shri Sunder Singh had earlier been raped or molested at a Police Station in Haryana will also be looked into.

(Interruptions)

MR SPEAKER You have a right to raise a discussion. I do not shut down discussion from any side. But the procedure must be followed. The procedure is that you write to the Speaker. We will have discussion.

The moment the statement is made if people on one side begin getting up the people on the other side will also get up. It may not be satisfactory.

You write to me pointing out that such and such a thing is not satisfactory, I want to have discussion on that. I will have discussion with the Minister of Parliamentary Affairs. That must be done. Therefore don't go on like this. It is not proper. If anybody does it, I would say, don't record it. I will be helpless. I will be sitting helplessly in my seat. One Member seeks clarification. If 400 members seek clarification where are we to go? You may write to the Speaker; you may ask for a debate. We shall have to proceed in an orderly way.

Mr Jyotirmoy Bosu, your point is as good as what Mr Kalyanasundaram is saying. What I say about him applies to you also.

Nothing is being recorded. I am not allowing you. Everybody will try to copy Mr Jyotirmoy Bosu. The moment you do it, other hon Members will try to copy you. The rule is there for everybody. The rule-book can be quoted by everybody. There will be no end to it. What I told to Mr Kalyanasundaram applies to you also. Please write to me. If there is anything I will look into it. When I say 'write to me' I mean, not Sanjiva Reddy, but too the Chair.

If I go on giving assurance to everybody there will be no end to it. I am not going to answer. There cannot be any discussion between the Chair and the member Mr Advani.

CHAUDHURI CHARAN SINGH
Mr Jyotirmoy Bosu was referring to a Resolution.

MR SPEAKER He was referring to something else. You will have to answer that also. You will have to answer both. Therefore, don't answer anything. (Interruptions)

Order please. Why do you shout? He has not answered anything.

THE PRIME MINISTER (SHRI MORARJI DESAI) The proceedings of the House are to be regulated by the Chair, and not to be regulated by Members like this.

MR SPEAKER Shri Advani to make statement.

1152 hrs.

STATEMENT RE FORMATION AND
FUNCTION OF SAMACHAR AND ITS
FUTURE

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI). Sir, I consider it necessary to make a statement on the formation and functions of Sama-

char' and its future, as Hon Members are aware that this news agency has been the subject matter of widespread criticism.

My predecessor had in his statement in the Lok Sabha on January 21, 1976 justified the formation of a single news agency and said that Government had noted it with satisfaction that the managements of PTI, UNI Hindustan Samachar and Samachar Bharti had passed resolutions supporting the idea of a single and strong national news agency. He had also said that the managements of these agencies had proposed to merge themselves into a single agency and that Government would be prepared to assist in this process in different ways.

A Society named Samachar was registered on January 24 1976 with 12 members of the Managing Committee including Shri G. Kasturi, Editor, 'Hindu' as its Chairman. The four erstwhile news agencies decided to accept the bye-line of Samachar with effect from February, 1 1976 and adopted resolutions transferring 'their assets and liabilities as also their functions and personnel to Samachar with effect from April 2, 1976. Samachar thereupon bought the shares of the PTI UNI Hindustan Samachar; while the shares of Samachar Bharti which were held by the State Governments of Mysore, Gujarat, Bihar, Rajasthan and Uttar Pradesh were gifted to Samachar in response to the requests of Chairman of Samachar.

To bring about complete integration of the four agencies Samachar appointed three Committees one each on (a) personnel, (b) rate structure and (c) administrative code and bye laws. These committees were respectively headed by Shri R. P. Billimoria who is now Chairman of SAIL, Dr Ram S. Tarneja, Associate General Manager of M/s Ben-net Coleman and Times of India, and Shri P. C. Gupta Managing Editor, 'Jagran', Kanpur. Some of the recommendations of the committee

dealing with the integration of personnel have already been accepted by Samachar and the pay scales of its employees rationalised and made uniform with effect from July 1, 1976.

I have mentioned earlier that my predecessor had stated in this House that Government would be prepared to assist the managements of the four erstwhile news agencies in the process of merger in different ways. Besides making *ad hoc* grants in aid of Rs 50 lakhs in two instalments to enable Samachar to tide over its unsatisfactory financial situation Government had persuaded the State Governments to gift their shares of Samachar Bharti to Samachar. Government had also guided the Managing Committee of Samachar in taking policy decisions. To this extent, the autonomy of the Society was severely limited and, therefore, the criticisms about the functioning of Samachar are valid.

I want to assure the House that the present Government is committed to ensuring freedom of the Press which naturally includes freedom and autonomy of a news agency. I have therefore decided to constitute a committee of experts to examine and report on the future of Samachar within one month. The constitution of such a committee has been considered necessary, as premature dissolution of Samachar and its reversion to the erstwhile four news agencies are likely to create some problems, particularly in regard to the personnel who have been brought on a uniformity higher scales of pay and emoluments. Honble Members will agree with me that the interests of the employees have to be protected while ensuring complete freedom of news agencies from Government influence or control.

As Hon'ble Members are aware, Samachar in its capacity as the single news-agency has become a member of the News Agencies Pool of the non-aligned countries.

[Shri L K Advani]

and entered into bilateral arrangements with a number of news agencies of the non aligned countries for mutual exchange of news. Also, India was elected as the Chairman of the Coordination Committee of the News Agencies Pool of the non-aligned countries at the Conference of the Information Ministers of non-aligned countries held in Delhi in July 1976. This post was held by Shri Mohammad Yunus in his capacity as a member of the Managing Committee of the Samachar. He has since resigned from the Managing Committee. The Committee of experts will examine how India will continue to function as the Chairman of the Coordination Committee and in what manner arrangements will be made with foreign news agencies for exchange of information.

Today Samachar enjoys total monopoly of collection and dissemination of news within the country and abroad. The Committee of Experts will review this position and make suitable recommendations in the light of Government's policy as briefly outlined above.

12.00 hrs

STATEMENT RE ALLOTMENT OF ACCOMMODATION TO MEMBERS OF PARLIAMENT

PANDIT D N TIWARY (Gopalganj) Mr Speaker, Sir, in the election for the Sixth Lok Sabha more than 400 new Members have been elected. The Lok Sabha Secretariat had made arrangements for temporarily accommodating the new Members of Lok Sabha in Vithalbhai Patel House, Western Court, Hostel, Lodhi and Ranjit Hotels besides in various State Guest Houses located in Delhi, as most of the Members Pool accommodation continued in the occupation of ex-Members. Besides, the Directorate of Estates had also placed a few residential units temporarily at the disposal of the Secretariat and the House Committee on request for temporary allotment to

Members. As soon as some flats became vacant, the House Committee decided to allot these houses on the basis of the following priorities —

- 1 Members residing in Hotels
- 2 Members residing in far off places
- 3 Those sharing accommodation with other allottees in Vithalbhai Patel House

Accordingly, available accommodation was offered to Members on 2nd April 1977 with the request to convey their acceptance by 4th instant (A.N.) so that in case of their non acceptance these could be offered to other Members. Out of 84 Members who were temporarily offered accommodation placed at the disposal of this Secretariat, only 60 have collected occupation slips till date. Allotments were also made to other Members of the aforesaid category in temporary accommodation made available by Government viz Patandri House Suites, D II Flats in Kidwai Nagar and Type IV accommodation in Pandara Road and other areas, but the same were not acceptable to Members on account of their being not furnished/not in good condition besides being situated far away from Parliament House. About 95 Members have been accommodated in Vithalbhai Patel House and Western Court Hostel.

As in the past the House Committee met and placed bungalows, twin-flats and three bed roomed flats both 'vacant' and 'To be vacated' at the disposal of various Parties/Groups in Parliament on the basis of their strength for recommending the names of Members of their respective parties to whom they would like to allot bigger type of accommodation.

The Accommodation Sub-Committee has been constituted and it would consider the allotment of two bed-roomed flats etc, to the remaining Members on vacation basis. But the Committee is facing difficulties as some of the new Members have gone into the residential units before they

were surrendered by the Ex Members The House Committee has not taken cognizance of such occupation while allocating quotas of Bungalows, Two-flats and Three bed roomed flats to various Parties/Groups in Lok Sabha 216 Ex-Members are over-staying and out of them 30 to 40 have requested for further extension ranging from one month to six months

The House Committee appreciate the difficulties experienced by the hon Members for suitable accommodation particularly near Parliament House and are doing their best to find out an early solution

This can only be done when the old Members vacate The House Committee is requesting the old Members to vacate at the earliest I am confident that after vacation by the old Members the situation will ease

I may also add, Sir that many ex-Chief Ministers, ex-Ministers ex-Speakers, ex-Ambassadors and ex-Supreme Court judges have come to this House and they need bigger accommodation I would request the Government to make available more bungalows so that their needs could be met

MR SPEAKER Members want that the statement made by Pandit D N Tiwary be circulated It will be circulated later,

12 01 hrs,

CONSTITUTION (FORTY-THIRD AMENDMENT) BILL*

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN) Sir, I beg to move for leave to introduce a Bill further to amend the Constitution of India

MR SPEAKER Motion moved

'That leave be granted to introduce a Bill further to amend the Constitution of India'

SHRI YESHVANTRAO CHAVAN (Satara) Mr Speaker, Sir, I am taking this opportunity to explain the point of view of my party on the question of this Constitution Amendment Bill At one stage it was said that it was only going to be introduced and now it is said that it is going to be considered I don't know the position exactly But I am told that possibly they may not continue the consideration But some of the clauses of the Bill have got relevance to political situations in many States in the country and therefore, I want to make it clear on behalf of my Party, and myself to the Opposition (Inter-ruptions) and to Government particularly, that they should know that we are opposed to clauses 3 and 4 of the Bill We are going to oppose, making my point clear, particularly the point for reducing the period from six years to five years We are opposed to that So, I wanted to give information to the House earlier

SOME HON MEMBERS rose—

MR SPEAKER Of course, every Party need not oppose this You need not oppose it on the Party basis now

SHRI ARAVINDA BALA PAJANOR (Pondicherry). We are entitled to express our views

MR SPEAKER Only one can oppose it. It may be Anna DMK or somebody The rules are clear on that

SHRI ARAVINDA BALA PAJANOR One correction, Sir. It is All-India Anna DMK, it is not Anna DMK.

MR SPEAKER All right I did not know that

SHRI M KALYANASUNDARAM (Tiruchirappalli) Please permit me to speak for a few seconds Today is the last day of the Session according to what was already announced. This is an important Constitution Amendment Bill. My Party is pledged to support the amendment contained in this Bill because even at the time when the Constitution (Forty-second Amendment) Bill was discussed we opposed it

MR SPEAKER I know that. But if you get up like this it is not proper. The rules are very clear that only one of them can oppose the Bill.

SHRI M KALYANASUNDARAM I am not opposing I am supporting the Bill

MR SPEAKER All right, but please sit down. Now nothing is going to be recorded.

SHRI M KALYANASUNDARAM**

MR. SPEAKER Anybody may support the Bill or oppose it, I am not interested in that. Mr Kalyanasundaram you are getting up again, I am only sorry. All I can say is I am extremely sorry. On every issue if this happens with other Members a so kindly let me know what can a poor Speaker do. I allowed the Leader of the Opposition to speak.

SHRI M KALYANASUNDARAM But there are many parties who want to express the views

MR SPEAKER There is no question of parties. Then it becomes a discussion. It can be discussed. The Bill is for discussion only but not at the introduction stage. At this stage one can only oppose. The rules are very clear on that if you kindly read them. So kindly sit

down. Kindly don't get up to speak. If you do that, others will also do it and I will be helpless.

SHRI SHANTI BHUSHAN The Leader of the Opposition has stated that he wants to intimate that clauses 3 and 4 of the Bill are to be opposed by him. All that I should like to say on that matter is that last time in 1971 or 1972 when elections to the Lok Sabha and various State Assemblies took place, people had voted those who succeeded in the elections for five years. The mandate that had been given to them by the people was for a period of five years. Sometime back when the term of the Lok Sabha and various state assemblies was sought to be extended from 5 to 6 years and the Constitution was also amended to that effect, there was a lot of reaction in the country (Interruptions). Recently concluded elections to Parliament have demonstrated what the feelings of the people are in regard to that matter (Interruption). At this stage I have no desire to say anything more in the matter when the Bill comes up for consideration, I shall give my views.

MR SPEAKER The question is

"That leave be granted to introduce a Bill further to amend the Constitution of India"

The motion was adopted

SHRI SHANTI BHUSHAN Sir I beg to introduce the Bill.

12.03 hrs

MATTERS UNDER RULE 377

(I) INCOME-TAX RAID ON THE OFFICE OF AVARD

MR SPEAKER Shri Jyotirmoy Bosu may raise the matter of which he has given notice

SHRI ARAVINDA BALA PAJANOR (Pondicherry) Sir, I have a point of order to make. We are given to understand that the discussion will be taken up later on. But we have been told—I do not know whether it is correct or not—that the discussion will be taken up on the 9th instant and the Bill will be passed. And for that purpose you have extended the House. Sir, we have not gone back to our constituencies since the House has been in session. Tomorrow is Good Friday. We have to go to our Constituencies.

MR SPEAKER I myself do not know about the extension of the House. If there is going to be an extension the Government will come and say that they are going to do it. Therefore there is no point of order. (Interruptions)

New Mr Jyotirmoy Bosu, you may continue.

SHRI JYOTIRMOY BOSU (Diamond Harbour) The Association of Voluntary Agencies for Rural Development (AVARD) of which Shri Jayaprakash Narayan is the President has been engaged in the field of rural development for the last 20 years. AVARD is an all-India Federation of non-official agencies functioning in rural areas and has a membership of about 150 organisations spread all over the country. AVARD has been helping its members in all aspects of rural development and also in the preparation of micro level plans, a dozen of them making pointed documents, and also has been implementing a few development projects. One such area where this Association has undertaken comprehensive area development work is Musahri Block, Muzaffarpur District, Bihar and other areas of Bihar, West Bengal, Orissa, Manipur, either directly or through its member agencies. Musahri Block is well-known to the

people of India for its being the scene of intensive and extensive Naxalite activities. Shri Jayaprakash Narayan had to spend more than one and a half years in that area to bring peace.

The financial assistance for taking up the development work in Musahri and other areas was received from a foreign donor known as the Central Agency, West Germany, through Peoples Action for Development (India)—a society set up in the Ministry of Agriculture and Irrigation (Department of Agriculture). The idea was that the Government is kept fully informed about the sources of funds and their disposition.

To malign AVARD, especially its President Shri Jayaprakash Narayan, an extraordinary income-tax raid was conducted by the Intelligence and Investigation Wing of the Income-Tax Department on 5-2-76. The raid was carried out simultaneously at its head office at New Delhi, the two project offices at Muzaffarpur and Jamui in Bihar at the residence of its Vice-President, Shri Radhakrishna General Secretary, Shri A. C. Sen Accounts Officer, Shri R. L. Goe and also Shri S. K. Bahri who happened to be one of the partners of AVARD's Audit Firm. The raid party also visited both the offices of AVARD's auditors, Messrs Aiyar & Co. and Chandok & Gahani. After the raid all the books of account including relevant documents and some office records of the Head Office as well as the project offices were seized by the Income Tax Department. This raid was also given wide publicity by the Samachar in the Press without giving any opportunity to the office holders even to explain the manner and functioning of AVARD. All the seized documents are still with the Income Tax Department.

It is interesting to note how the whole welfare development work of

[Shri Jyotirmoy Bosu]

AVARD was politicised by the then government. In reply to an Unstarred Question (No 13) in the Lok Sabha the Minister of State in the Ministry of Agriculture and Irrigation Shri Shah Nawaz Khan informed the Lok Sabha on March 8 1976 that the Ministry of Agriculture itself had received the necessary funds mostly in the form of fertiliser and wheat for the three projects being executed by AVARD. But then only two days later, Shri Brahmananda Reddy, under orders of Shrimati Indira Gandhi the then Minister of Home Affairs speaking in the Lok Sabha on 10 March 1976 and in the Rajya Sabha on 15th March 1976 while quoting the above figures of receipts by the Ministry of Agriculture said that the Association had received these amounts from some foreign sources—the source, and the manner these assistances were received are under investigation of the Government of India a blatant and shameful untruth. From this it is clear that all administrative actions on AVARD were of political nature.

Thereafter sizable AVARD funds amounting to about Rs 45 lakhs lying with the Ministry of Agriculture and Irrigation were frozen under instructions from the Home Minister. Instructions were also issued by the Ministry of Agriculture and Irrigation to all the State Governments that no help or co-operation be extended to AVARD in any manner or form. Even AVARD member agencies and other organisations, directly or indirectly connected with it were also subjected to similar restrictions. This is how Shrimati Indira Gandhi made an effort to do a character assassination of Shri Jayaprakash Narayan and using this forum is disgraceful. Will the Home Minister please assure this House that the restrictions imposed will be withdrawn forthwith?

SHRI A. C. GEORGE (Mukandapuram) Sir today is Maundy Thursday and tomorrow is Good Friday. I hope this House will have some respect for minorities and allow us to

celebrate our festivals. I support what Mr Pajanor has submitted regarding the extension of the session.

SHRI ARAVINDA BALA PAJANOR Sir, I agree with Shri Subramantam that this side of the House also must be given due consideration. It is not that easy for us to go back and come again. For the past so many days we have been in Delhi and we want to go back. When the opposition leader rose to oppose the introduction of the Bill, you said that one member from the opposition can oppose the introduction. The leader of the opposition must have been under the impression that the Bill will not come up for consideration this session. We were all under the impression that the House is adjourning sine die today. But we have been noticing that at 6 o'clock it is said that the House will sit up to 7.30 that the session is being extended and so on.

MR SPEAKER The Minister of Parliamentary Affairs will make a statement. Before that there are one or two statements by other ministers also. I am also made to believe that we are not sitting on the 9th. Why don't you give me some time now? There was a plane crash yesterday. When I called the minister concerned he was perhaps in the Rajya Sabha and he was not available. I will request him to make a statement. Before that the Home Minister will reply to Mr Jyotirmoy Bosu's statement.

SHRI A. C. GEORGE We could not hear anything of what Mr Jyotirmoy Bosu said.

MR SPEAKER I will have it circulated. His statement and the minister's reply—both the statements—will be circulated to you.

SHRI VASANT SATHE (Akola) I rise on a point of order. Rule 377 says

“A member who wishes to bring to the notice of the House any

matter which is not a point of order shall give notice to the Secretary General in writing, stating briefly the points which he wishes to raise in the House, together with the reasons for wishing to raise it, and he shall be permitted to raise it only after the Speaker has given his consent, at such time and date as the Speaker may fix."

This is not a notice like short notice question or any other thing. This is only for your consent. How is it that previous notice of this statement which was read out just now became available to the Minister for him to have a written reply got ready to be read out here? This appears to be a mutual arrangement."

MR SPEAKER The rule says that notice will be given to the Speaker—

Notice was given to the Speaker and a copy of the notice was sent to the Home Minister yesterday. Apart from the rules, it was given to the Secretary-General. It was sent to the Home Minister and it is in the Order Paper. Now what you read just now has been strictly followed. Therefore, he is ready with the reply also.

SHRI C. M. STEPHEN (Idukki) I am rising on a point of order. The Minister can make a statement under Rule 372 on a matter of public importance with the consent of the Speaker but no question shall be asked at the time the statement is made. But he cannot make a statement in answer to a question raised under 377. In 377 a special procedure has been stipulated that the Member makes a statement, it goes on record and the Secretary-General then passes it on to the Minister.

SHRI M. KALYANASUNDARAM (Tiruchirappalli) I do not object to 377 notice and the Minister promptly obliging with the reply. But similar notice was given by me on the Railway accident that took place in Tamil Nadu involving lives of people. When I raised that point why (Interruptions)

MR. SPEAKER The Minister made a statement on the railway accident. If you want a discussion, you can certainly have a discussion (Interruptions)

SHRI SHYAMNANDAN MISHRA (Begusarai) I want to make a brief submission for your consideration. So far as this point of order is concerned, whenever any hon. Member makes a submission under Rule 377 he wants to draw the notice of the House to a matter of public interest, and the House includes the Government. Now it had been the practice of the previous Government to ignore the observations made under Rule 377—Generally it had been their practice. On many occasions—you will find on record—the Chair also wanted the Government to take notice of the observations.

Now, if any government is responsive to the observations made it goes to the credit of that government and there is nothing in the way of the government making a statement thereon (Interruptions)

SHRI C. M. STEPHEN It is a matter of procedure.

SHRI SHYAMNANDAN MISHRA I have not disturbed you at all. Otherwise whatever observations we make under rule 377 would fall on deaf ears. We don't want any government to be deaf to the observations made by any hon. Member.

MR. SPEAKER Now may I ask Mr. Kaushik to make the statement?

THE MINISTER OF HOME AFFAIRS (CHAUDHURI CHARAN SINGH) I want to make the statement. (Interruptions)

MR. SPEAKER I have permitted all of you. All of you can have it.

SHRI C. M. STEPHEN Kindly don't take it that way. I have raised a point of order. I have cited a rule. I want a ruling from the Chair. There are certain procedures under which

**Aircraft of National Remote
Sensing Agency near Ongole,
Andhra Pradesh**

[Shri C. M. Stephen]

Information can be elicited from the government. They can have a discussion, they can have a half-an-hour discussion. They can have a call—attention, they can put a Motion, they can have a short notice question. These are the different methods whereunder information can be called for. Rule 377 states what should be done under 377. That is the end of it. Under 377, a reply to the point raised by the Member is not called for at all. Therefore on the spot, it is not called for at all. If, after hearing the observations the Minister feels that a statement under rule 372 is called for, he can give notice and come with a statement. Not in reply to what has been said under 377. I want a ruling on that.

MR. SPEAKER I think rule 377 is very clear in that sense. No reply from the Minister is anticipated in this rule. The Minister may make a statement, if necessary, later on. That is a different matter.

Mr Kaushik may make a statement on the plane crash.

SHRI M. KALYANASUNDARAM I am on a point of order.

MR. SPEAKER You have been on a point of order so many times. Anyway, proceed.

SHRI M. KALYANASUNDARAM You don't listen to me. You will be compelling me to say something more drastic. Don't make me protest like that.

MR. SPEAKER Yes; proceed.

SHRI M. KALYANASUNDARAM I request the Chair to be reasonable. Rule 377 is a valuable privilege given to the Members to bring to the notice of the government immediately any matter of public importance, other than the point of orders. I had given notice under 377 regarding a serious railway strike. I had met you personally and represented to you. I met the Minister of Parliamentary Affairs

and represented to him about the urgency of it. But that was ignored. It did not see the light of the day. (Interruption) I don't object to the Minister giving a prompt reply. I welcome that. I welcome it if the Ministers are ready to give a reply even for 377. It is a good improvement. But that treatment should be given to all the Members who give notice under 377.

DR. HENRY AUSTIN (Ernakulam): I fully endorse it.

SHRI ARAVINDA BALA PAJANOR I would like to make a submission.

MR. SPEAKER No, no.

12. 36 hrs

**STATEMENT RE CRASH OF AN
AIRCRAFT OF NATIONAL RE-
MOTE SENSING AGENCY NEAR
ONGOLE, ANDHRA PRADESH**

पर्यटन और नागर विमानन मंत्री
(श्री पुरुषोत्तम कोशिक) 'अग्रज महोदय,
भारत दुर्घटना के साथ मुझे इस सदन की विज्ञान
तथा तकनीकी विभाग में सर्वप्रथम नेशनल रिमोट
सेंसिंग एजेंसी के एक बी० सी०-3 विमान
की भयावह दुर्घटना के बारे में सूचना देनी
पड़ रही है।

नेशनल रिमोट सेंसिंग एजेंसी का एक
बी० सी०-3 विमान, बी० टी० ई० ई० एल०,
जो 5 अप्रैल, 1977 को भारतीय समय के
अनुसार 0615 बजे मराठपुर के दक्षिण
पूर्व में एक सर्वेक्षण उड़ान के लिए मद्रास से
रवाना हुआ था, आंध्र प्रदेश में श्रीगोल के
निकट एक गांव में ध्वस्त हो गया। दुर्घटना
में कुल पांच सदस्यों तथा नेशनल रिमोट
सेंसिंग एजेंसी के पांच कर्मचारियों के मारे
जाने की खबर है।

नागर विमानन के महानिदेशालय ने बम्बई के विमान सुरक्षा निम्नक, श्री एम० एम० चावला को जांच करने के लिए घटना-स्थल पर जाने के लिए आदेश दे दिये हैं।

निश्चय ही सदन को मेरी ही भांति इस दुर्घटना से गहरा सदमा पहुँचा होगा और यह इस असह्य शोक में तथा मृतकों के परिवारों के प्रति सहानुभूति प्रकट करने में मेरा सहभागी होगा। विज्ञान तथा तकनीकी विभाग ने प्रत्येक मृतक के परिवार को पाँच हजार रुपये का अनुग्रह अनुदान स्वीकृत किया है।

12 37 hrs.

MATTERS UNDER RULE 377—Contd

(II) COMPLAINTS ABOUT MALPRACTICES
DURING RECENT ELECTIONS TO LOK
SABHA

SHRI SHYAMNANDAN MISHRA
(Begusarai) I have given a notice under Rule 377 and I have been informed that I would be given an opportunity to speak today.

**THE MINISTER OF PARLIAMEN-
TARY AFFAIRS AND LABOUR
(SHRI RAVINDRA VARMA)** Some
questions have been raised about
Government's intention to seek the
permission of the House to continue
sitting for another day I wish to
state on behalf of the Government
that the Government has no intention
to do so and we hope that the Gov-
ernment's business that has been in-
cluded in the agenda for the session
will be completed to day itself

SHRI SHYAMNANDAN MISHRA: Mr Speaker, Sir, under Rule 377, I draw the attention of the House to a matter of great public importance, nay of great importance to the democratic process itself of which this House is the product.

Though the elections to the Lok Sabha have been, by and large, fair and augur well for our democracy, it is learnt that the Election Commission has received complaints about serious malpractices committed in certain areas.

Some of these malpractices which were in gestation for some time now seem to be coming of age, thanks to the perfection of technique achieved by its perpetrators. And unless the Government makes thorough enquiries into them and takes effective steps to prevent them in the future, what appears now relatively a small affair may, very soon, assume grave proportions imperilling the democratic process itself.

Rigging is now being done in a well-organized, pre-planned manner, and what is really disturbing,—with the active aid and assistance, or at least connivance, of the State machinery—is the manner in which they are doing it.

I will begin with the Begusarai constituency which I have the honour to represent. There men in high authority had hatched plots with gangsters and anti-social elements armed with lethal weapons to capture booths on a large scale with the result that the administration and the police officers merely looked on so much so that in the Sonapur booth of Begusarai which was protected by four rifled men, the ballot boxes were snatched away by an armed gang and a re-poll was ordered. But, strangely enough, no enquiries were made as to how such a loot could be perpetrated.

Notorious antisocial gangs armed with rifles and sten guns moved from booth to booth like an invading army with a number of vehicles led by a pilot jeep in order to intimidate voters and presiding officers and to capture booths. The Government had completely abdicated its functions in favour of this gang in this entire belt. At one booth a presiding officer told

[Shri Shyamnandan Mishra]

me after seeing the rifles of the gargsters that he would have been happier if the bullets pierced his heart instead of destroying democracy. The Election Commission was also informed of the ballot boxes having been taken out at an unauthorised place at the district headquarters and tampered with. The evidences supporting this were preserved for some time for inspection by the Election Commission but nobody turned up to look into the complaint. At one booth Katari in this very constituency the polling was completed by the gangsters of a local MLA by 730 A.M. when the polling starts and ultimately a re-poll had to be ordered. Altogether nearly 150 booths were captured in this Parliamentary Constituency. In the adjacent Ballia constituency the situation was so bad that six persons lost their lives as a result of shooting and bomb explosion.

Two candidates of the Jehanabad and Sitamarhi constituencies were arrested on the polling day because they were found terrorising the polling parties and voters with the help of unlicensed arms, bombs etc.

In Banka 15 to 20 booths were looted by the candidate opposed to the Janata Party. Trucks and vehicles were seized by the authorities in which were found unlicensed arms and bombs. One bomb manufactured by the supporters of a party candidate exploded and two of the supporters died, one instantly and the other in the hospital.

The other glaring instances are Dum Dum and Barrackpore in West Bengal, Amethi in Uttar Pradesh and many areas in Kerala. The situation in the Ferozpur Constituency of Punjab has figured in the press. But I will not refer to it as the matter is sub-judice. There may be other pockets too.

All in all the malpractices included seizure of booths by antisocial gangs armed with lethal weapons the ar-

rest of workers of opponents one or two days before poll, running away with the ballot boxes, the discrepancy between the votes polled as per records and the votes counted, the duplication of ballot papers on a large scale, taking out of ballot boxes at unauthorised places and tampering with them, and the making of major decisions and concessions to various interests by Governments which should function merely as a 'caretaker Government' during the elections.

It is necessary that the Government investigate these cases fully and take effective steps to prevent their recurrence in future.

12.45 hrs

PARLIAMENTARY PROCEEDINGS (PROTECTION OF PUBLICATION) BILL

MR SPEAKER We will now proceed with Item No 18

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI) I beg to move

'That the Bill to protect the publication of reports of proceedings of parliament be taken into consideration'

At this stage at the very outset, I have just a few remarks to make. During the period of Emergency there were three Statutes which curbed the freedom of the Press. The first one was the prevention of Publication of Objectional Matter Act, the second one was the repeal law repealing the publication of parliamentary proceedings immunity law, and the third one was the Press Council Act which was repealed. The first of these laws was repealed in this House yesterday and today we are dealing with the second one. I would think there is no controversy whatsoever in this regard. In fact, the immunity in respect of coverage

of parliamentary proceedings was by virtue of the law enacted in 1956 which is one of the very few laws that have been sponsored by non-official Members. There are very few laws of this nature and the credit of sponsoring this law goes to late Shri Feroze Gandhi who was a distinguished Member of this House. It was adopted by the Parliament in 1956. Up to 1976 for a period of about twenty years I personally have known of not a single instance where this immunity was in any way abused by the members of the Press Corps. But a blanket allegation was made against them against the entire Press community in the Statement of Objects and Reasons of the Bill that was moved by my predecessor Shri Vidyacharan Shukla. It was said at that time in the statement of Objects and Reasons

But actual experience proved that the privilege given by the Act was misused frequently and systematically. Many newspapers reported with impugntly and often on the front page and with banner headlines such motivated and wrong charges levelled in the parliament against different persons as would have invoked the laws of the land. Because of the protection afforded by this law to the press, the persons affected were deprived of the remedy the country's laws promised to vindicate their personal honour. The misuse of this privilege assumed extraordinary proportions during the last three years.

This was the rationale that was offered to parliament when this repeal Bill was mooted which repeal Bill we now want to set aside and restore the original position. As I said yesterday I totally disagree and my Government disagrees with the entire approach that if somebody from the opposite side makes an allegation against us

SHRI K LAKKAPPA (Turnkur) The previous Government also suggested that we should relax it because it was brought at the time of the Emergency.

SHRI L. K. ADVANI I think I have made my point very clear. So far as the Emergency is concerned, the Defence of India Rules took complete consideration of what the press should do and there was no need for a Bill of this kind. There was no need for a Bill of the kind we repealed yesterday. These two Bills were intended to make the Emergency provisions a permanent part of our set up. They were intended to institutionalise the draconian policies of the Executive during the Emergency and therefore I feel it imperative.

SHRI K LAKKAPPA That was not the intention. The security of the country and the integrity of the country were the most important considerations at that time.

SHRI L. K. ADVANI I may point out that even the earlier Bill as adopted by Parliament (ie Feroze Gandhi Bill) did not confer any blanket and absolute immunity on the press. There are limitations even on that privilege. We Members of Parliament in this House enjoy the privilege of making statements without fear of becoming liable for criminal and civil proceedings but at the same time, if any statement made in the House is irresponsible or defamatory the Chair has the right to expunge such phrases or to ask the Member concerned to withdraw his remarks. There are several provisions in the Rules of the House itself to act as an effective curb or check on any irresponsible and defamatory utterances.

Similarly as I have said this law itself provided while bestowing immunity on the Press, for so many provisions—that the publication must be a substantially true and accurate report, that the publication must be

[Shri L. K. Advani]

for the public good, etc. It should not be with a view to blackmailing any one or with a view to seeking personal vendetta or anything of that kind. Thirdly the publication must not be actuated by malice. These are specific phrases that the Feroze Gandhi Act provided for and which we, while moving this Bill, have put forth before you in their original form. There has been no change there has been no departure of any kind from the original Bill.

Therefore I commend it to the House with all the emphasis at my command, and I hope that, as the Bill which was adopted yesterday, this Bill also will be adopted unanimously.

MR SPEAKER Motion moved

"That the Bill to protect the publication of reports of proceedings of Parliament be taken into consideration"

We have four more Bills. I do not know whether we will be able to finish them. Yesterday I prevented one or two Members from speaking so that we could push through that Bill. Is Mr Purnanarayan Sinha present in the House? I would like to give him a chance. Yesterday he was very unhappy. I could not call him. I would like to call him first.

SHRI PURNANARAYAN SINHA (Tezpur) Mr Speaker, Sir, I come from a place on the India-China border Tezpur which was threatened by Chinese aggression as far back as 1962. The then Prime Minister, Pandit Jawaharlal Nehru, said on the floor of this august House that his heart went out to the people of Assam at their hour of peril when on 20th November, 1962, Government had to evacuate the administration from Tezpur. The Local Government obeyed but we refused and we tried to keep up the morale of the people. I come from that area.

(MR DEPUTY-SPEAKER in the Chair)

I have the honour to say that I founded a newspaper 15 years ago, and I have been editing it—for the last 15 years. This is an independent paper, it is not affiliated to any political party.

AN HON MEMBER You belong to a political party.

SHRI PURNANARAYAN SINHA Of course I do belong to the Janata Party, but I have never made my paper a party organ. It has been an independent paper. I have made a venture for self-employment of my two graduate sons, I asked them not to go in for a government job but to do a business of their own. I had started a small press and a small paper and have been running it for the last 15 years.

About 14 months back, I was detained by the Government for publishing a story about the pompous marriage of a Congressman. It was supposed to be an objectionable matter for the party in power and, therefore I was put behind the bars. My sons were in charge of the press and were managing the paper in my absence. Never before have Government given any advertisement or newsprint quota to this paper. After 14 months of detention, I was released about the end of January when I contested the election and I have been fortunate enough to come to this House to put forward the difficulties of the people of Assam who have been neglected all these 25 or 30 years. There has been no development in that area. We have heard another hon. Member speaking about the difficulty in getting drinking water supply. For everything for a bridge for a university, for a refinery, for a road, for extension of the broad gauge railway line from Bongaigaon to Gauhati, for everything the people of Assam have to organise agitations. Without agitation, the people of Assam have got nothing. For the refinery at Gauhati the people of Assam agitated. We were

sent to jail for six months for making the demand before the Deputy Commissioner's office. Only thereafter we got a small refinery at Gauhati. The bigger one was given to Barauni in Bihar. Subsequently, one was however, installed at Bongaigaon.

Assam is connected to the rest of India by a forty mile corridor over the North Bengal area. For a broad gauge line, the people of Assam have been agitating for the last ten years. This is the position there. I come from such a backward area.

Now, I would tell you what happened about the press. For anything that we wanted to publish during the emergency, a Sub-Inspector of Police would be sitting in the press to censor that material. He may be barely a matriculate or who may not have any idea of the principles and science of censorship and national security, but all the same, he was there. I publish a story about the fact of a Congress MLA having celebrated a pompous marriage. My idea was to focus the attention of the people on the need of austerity. The result, however, was that I was detained because that was considered something objectionable. There has thus been a lot of repression of the press during the emergency. There are a few papers in our area and there are also a few lakhs of readers. We have not been able to bring about any development in this regard. On the top of that there were so many restrictions.

I happened to see a small book published by DAVP about the freedom of press in India. It has been stated in that book that the freedom of press is ensured under Article 19 of the Constitution of India and that the Government have never interfered with the functioning of the press. Unfortunately, I have not brought that book with me today. I read it yesterday. As we know, during Emergency, there were a lot of restrictions on the press, but after the

elections were announced, the press has enjoyed a little freedom. Thus, during emergency, whatever is contained in Article 19 of the Constitution, was being violated.

Now, it is very good that the Janata Party Government has initiated action to repeal all those black laws. With these words, I support this Bill which is intended to restore the principles and objectives of the Feroze Gandhi Act.

SHRI J RAMESHWAR RAO (Mahabubnagar) Mr Deputy-Speaker, Sir, I would like to make it clear at the outset that I am not opposing this Bill. But while protection is given for publication of parliamentary proceedings this protection imposes an obligation and responsibility on the press of correct reporting. There should be no suppression veri and suggestio falsi. While the Government should not censor press reporting of Parliament proceedings, the press or press owners should not censor or distort what is said by any member in the House. In reporting statements made by Members on the floor of the House there should be no attempt to tear them out of context or deliberately to give a wrong twist or interpretation otherwise it would be misusing this privilege.

To give only yesterday's example, I was quoted as having said that we would support all that the Prime Minister said in his broadcast. This gives a totally wrong impression. What I said was quite different. I said I agreed with what the Prime Minister said adding that there was nothing new he had said.

SHRI L K ADVANI Whose report was it?

SHRI J RAMESHWAR RAO All the papers.

We had all been saying the same things even when he was a member of the Congress Party and Deputy

[Shri J Rameshwar Rao]

Prime Minister Only implementation had been tardy Now that he has changed his Congress Party label to Janata Party label I hoped there would be implementation Further I did say that freedom of the press was essential for survival of democracy But I also said yellow journalism is a danger to democracy The two do not go together But the first part was reported and the second part omitted.

13 hrs

I have sat here these ten days hearing the constant abuse of the Congress Party and my colleagues, from Government Benches I know the hon. Members of the former Opposition who have been used to constantly abusing the Congress may find it difficult to adjust themselves to their new role of sitting on government Benches, but it is they who have to help maintain the dignity of the House Surely Mr Deputy Speaker, we should not allow this House to degenerate into a House of Abuse. They are abusing us to their heart's content outside this House, and the Press is giving enough publicity to this abuse, but let us at least maintain the dignity and decorum of this House.

The other day there was a lecture by the hon. Prime Minister on non-violence, Satyagraha and the Gandhian Tradition. He is not the only heir to the Gandhian Tradition. We are also heirs to the Gandhian tradition. My first interest in politics—I am sorry to be a little bit autobiographical—was roused in 1926, 1927 and 1928 through Netaji Subhas Chandra Bose and the controversy of his second election as Congress President and also by reading Jawaharlal's autobiography. My Baptism of fire came during the 1942 movement under the inspiration of Jawaharlal Narayan. I consider him as one of the great men of this

country. Later I learnt practical political action at the feet of Mahatma Gandhi, and respect for human values like tolerance, freedom and liberalism working under Jawaharlal Nehru Gandhi became real to me, in emotional and practical terms, in 1967 when I started organizing agricultural labour unions in my constituency when all the opposition parties, apart from my own Party, opposed my work. The only person who supported me was Shri Ram Manohar Lohia. Shri Ram Manohar Lohia published notes about my work in his journal *Mankind*.

The purpose of my saying all this is to emphasize that no one individual or group in this country can arrogate to himself or themselves the attitude of being the sole representative of the urges and aspirations of the people of India or the sole heir of any aspect of our complex national tradition. We are all heirs to a common tradition. We all represent the people of India.

The hon. Members of the Janata Party speak of their mandate. They are not yet a party. As of to-day they are still a coalition of parties. The Janata Party, I learn, is to be born on the 1st of May. I hope it will imbibe some of the traditions of the First of May. We too who have been elected also have a mandate from the people. If the mandate of those who occupy the Government benches comes from a region we also have a mandate from more than one region, in this large and diverse country. As to who has the real mandate of the people, only history will tell. But in a democracy one accepts the numbers as that is the only working arrangement possible.

The other day, the members opposite objected to my colleague, Shri Sabramaniam, speaking of differences in the voting pattern in different parts of the country. But when the Prime Minister gave an unasked for assurance to the south, I suppose we

are expected to be dutifully grateful. There must be some consistency somewhere.

So, Mr Deputy Speaker, let not the avalanche of abuse continue. I am surprised that an independent member like my friend Mr Purushottam Mavalankar—he is not here at the moment—has also been infected with the contagion of abusing us. Let him think of his great father and the traditions set by him. Let him think of his great father's illustrious predecessor in office Shri Vithalbhai Patel and the traditions laid down by him. I have great affection for Purushottam and it hurts me to find fault with him.

We on this side of the House have promised constructive co-operation and responsible functioning. We have not done so because we are weak or because we are defeated. We have done so because we want to set an example in functioning like a responsible and constructive opposition. But let me warn the members on the Government benches please do not take us for granted. We can give constructive co-operation only when there is give and take from the Government benches also both in policies and programmes. I would like to request them not to try to drive us to the wall because we too can hit back. Let me also remind the members opposite—there are many amongst them who have skeletons in their cupboards—while Jayaprakash Narayan visits this country like a circus person from Bihar had to come to terms with him for their very survival. Am I to believe that these actions were prompted by idealism?

Speaking about the Bill under discussion there is just one thing I wish to point out. I pointed this out to Shri Feroz Gandhi when he first introduced his Bill—I can say what I like in this House about anyone even a person who is not a member of this House—things for which I may remain liable for libel or defama-

tion, if I had said it outside this House—what I say in the House can be printed and published with impunity by the press under this Act and the person against whom things have been said has no remedy except to challenge me to come and say the same thing outside the House. In a country like India where what is reported in the press is generally considered true, especially if it is defamatory, great damage would have been done. How does Government propose to protect the innocent individual against his kind of blackmail? As I said earlier, I am not opposing this Bill. I wish to conclude by requesting the Government to give some thought on how best we can prevent the misuse of this privilege.

13.08 hrs

The Lok Sabha adjourned for Lunch till Fourteen of the Clock.

The Lok Sabha reassembled after Lunch at four minutes past Fourteen of the Clock.

(MR. DEPUTY SPEAKER in the Chair)

PARLIAMENTARY PROCEEDINGS
(PROTECTION OF PUBLICATION)
BILL—Contd

श्री लक्ष्मी नारायण नायक (छात्राहा)

मन्त्रीय उपाध्यक्ष महोदय, सूचना तथा प्रसारण मंत्री ने जो विधेयक यहाँ रखा है, मैं उसका समर्थन करने के लिए पड़ा हुआ हूँ। इस देश में, जहाँ प्रजातन्त्र है, प्रपनी चाही बहने की आजादी को कैबिनेट इस देश में ब्राह्मणों द्वारा एक ऐसा कानून बनाया गया जिससे हमारे भी लोक सभा केन्द्र प्रपनी विचार तथा करने है, वह आजादी में प्रभावित नहीं हो सकते हैं। ऐसा कानून बनाकर देश में लिए बहुत ही आपात किया गया है।

उपाध्यक्ष महोदय, मैं आपसे आग्रह कर रहा हूँ कि इस सदन में जब भी नारायणों चली है तो वे प्राधिक

[श्री सूर्यमो नारायण नायर]

तरीके से जो भी सदस्य अपने विचार प्रकट करते हैं, अगर वह अनुचित होते हैं या गैर-वांछित होते हैं तो आपके द्वारा श्रीर सदस्यों के द्वारा भी आपत्ति लगा दी जाती है। कभी-कभी सदस्यों को गलत श्रीर प्रशोधनीय बातें वापस भी लेनी पड़ती हैं, क्षमा याचना करनी पड़ती है या खेद प्रकट करना पड़ता है। यह लोक सभा को मर्यादा है।

लेकिन अपने शासन की रक्षा के लिए कांग्रेसी हुकूमत ने लोक सभा के सदस्यों द्वारा प्रकट किये गये विचारों के प्रकाशन पर भी पाबन्दी लगा दी। प्रजातन्त्र में हमें अपने विचारों को व्यक्त करने की जो स्वतन्त्रता मिली थी, पिछले शासन ने उस स्वतन्त्रता को छीन लिया था। देश के सभी लोग यह जानना चाहते हैं कि लोक सभा में क्या कार्यवाही हो रही है और हमारे चुने हुए प्रतिनिधि किस तरह अपने विचार प्रकट करते हैं। समय समय पर यहाँ कई महत्वपूर्ण प्रश्नों का निपटारा होता है और कई महत्वपूर्ण विधेयकों तथा सक्त्यों पर विचार होता है, जिन का प्रकाशन होना बहुत जरूरी होता है। लेकिन कांग्रेसी हुकूमत ने यहाँ पर माननीय सदस्यों द्वारा व्यक्त किये गये विचारों को प्रकाशित करने पर पाबन्दी लगा दी। इस तरह उसने देश की जनता के अधिकारों पर एक कुठाराघात किया।

माननीय सदस्यों की भी यह भाकादा होती है कि उनके द्वारा व्यक्त किये गये विचार न केवल देश में, बल्कि सारे दुनिया में, प्रसारित किये जायें, लेकिन पिछली सरकार ने इस पर पाबन्दी लगा दी। इसका स्पष्ट अर्थ यह है कि पिछली सरकार अपने कुकर्मों और अनुचित कार्यवाहियों पर यदा डालना चाहती थी। इमर्जेंसी के दौरान, जिससे लगाने की कोई आवश्यकता नहीं थी, अगर विरोधी पक्ष के नेता और माननीय सदस्य, या कांग्रेस के कुछ सदस्य, सरकार द्वारा की गई गलत कार्यवाहियों और दमन

की इस सदन में आलोचना करते थे, तो उन को समाचारपत्रों में प्रकाशित नहीं किया जा सकता था। इस प्रकार की बन्दिश लगा कर पिछली सरकार ने समाचारपत्रों का मुह बन्द कर दिया। यह बड़े सन्तोष की बात है कि अब जनता पार्टी की सरकार उस अनुचित पाबन्दी को समाप्त कर रही है।

मंत्री महोदय ने जो विधेयक पेश किया है, मैं उसका तहे दिल से स्वागत करता हूँ और सभी माननीय सदस्यों से निवेदन करता हूँ कि वे इस को अपना हार्दिक समर्थन देकर इस को पास करें।

SHRI VAYALAR RAVI (Chirayinkil). Mr Deputy Speaker, Sir, I support this Bill. The Parliament is supreme. It is the supreme body of this country. It can not only define but also decide the fate of the nation. The people of this country must know what happens in Parliament so that they can judge the performance of their representative whom they have elected to Parliament.

The much lauded Bill introduced by the late veteran Feroze Gandhi had been moulded and the proceedings of this House had not been projected properly to the outside world. Now, who were helped in this process? It helped the monopoly houses, exploiters and the multi-nationals.

Mr Deputy Speaker, Sir, this House has been constantly and all the time vigilant to see that such policies are followed as will encourage the public sector and restrict the growth of the monopolies. Sir, under the cover of the present law, which was introduced during the Emergency, the misdeeds or the offences committed by the monopoly houses could not be projected to the outside world although these issues were raised on the Floor of this House. As such, these monopoly houses could escape from the public criticism. I would like to admit that even questions sent to the

Parliament Secretariat in respect of monopoly houses had not been admitted all the time I myself faced this difficulty

Sir, this House had the privilege to expose the misdeeds of the monopoly houses for example Mundhra deal. The name of Shri H M Patel the present Finance Minister had figured in the Chagla Commission report concerning Mundhra deal. This House had deliberated extensively on the Mundhra deal. This subject had been brought before this House by late Shri Feroze Gandhi and many Ministers as well as officers—of which Mr Patel is one—were exposed. So Sir I would like to submit that whatever we say in Parliament should be known to the people at large and they be given an opportunity to decide and make their own judgement.

In this connection I would also like to submit that during the Emergency many officers might have done certain things. There should not be any witch hunting against such officers. These officers might have done these things under a certain political direction. You should not hang these officers for that. They will obey you also as they have to obey the political authority. If you go on persecuting the officers on every minor point then, I think, it will be harmful to you also as you will be demoralising the Administration. Now, take the example of 1947. At that time we knew the ICS officers were the collaborators with the British Raj. They had persecuted the freedom fighters beyond their capacity. Mr Patel was also one of such ICS officers. I am not blaming Shri H. M. Patel but let him examine his own old position under British Raj. Later on he was associated with Mundhra deal.

But let him make an examination as to what happened and I hope being a Minister of the Cabinet rank he will not agree for a witch hunting of the officers who have done something during the emergency. It is a

political decision. Thus I will make an appeal to the hon. Minister

In this connection I may also point out that on the earlier occasion hon. Members on this side drew the attention of the Government regarding the railway accident. Mr Madhu Dandavate is a friend of mine. I am not blaming him. After the accident we found a name in the newspaper one Mr Balakrishnan. The brother of another Member of this House Mr Kadanapalli Ramachandran is Mr Balakrishnan who was expected to come by that train. They were a little panicky because it was shown in the list as 'Balakrishnan Kannanore'. Then I rang up Mr Dandavate's office. The Minister was not available. So I talked to his Private Secretary who was there. I said, "It is a very serious matter that the brother of the hon. Member Mr Balakrishnan appeared in the paper. Do you have any information?" The next day I found, to my regret, there was no information, no addresses of the people who were involved in the accident who were killed or injured. The Railway Minister must have the facts before him when such a serious accident occurred in the southern part of the country and the relatives of the people—some of them are from our constituency—may ask us about it. Of course I know Mr Madhu Dandavate may be new to the Cabinet. It may be his initial error, he may correct it later on. But to my surprise the hon. Minister

SHRI S. KUNDU (Balasore) When did the accident occur?

SHRI VAYALAR RAVI Last week.

DR. HENRY AUSTIN (Ernakulam) Even the hon. Members do not know about the accident. 30 people met with a very serious accident. It is a West Coast Railway accident.

SHRI VAYALAR RAVI I am telling the importance of what I am speaking about in the House. I am only pointing out this kind of thing be-

[Shri Vayalar Ravi]

cause I have to bring this to the notice of the House. Let the Ministers correct themselves.

Sir, when the earlier accident occurred Shri Mohd. Shafi Qureshi, the then Railway Minister, knew what was happening and he used to rush to the House and inform. I am sorry my friend, Mr. Madhu Dandavate could not find time to visit the people who were serious in the hospital. Of course they have got a massive mandate.

SHRI MADHU LIMAYE (Danka)

This is not very relevant to the subject.

SHRI VAYALAR RAVI: I am glad that senses came to Mr. Madhu Limaye. Lastly, I should say there is a proverb in Malayalam: *Puthan achi theru perukum*. That means, the new bride cleaning the house and also the surroundings. This government coming with all new proposals and all through with enthusiasm announcing every day this is all like the new bride. But the thing is they have got a massive mandate yet there was rigging of the election. The whole purpose of my speaking in the House is because they think they get a good propaganda. But on rigging of election we never spoke of it. We accepted the defeat. We have been defeated in this part of the country. But we never said as a propaganda that there was rigging. (Interruptions)

I have got a paper with me. I am prepared to produce that paper. In my election I have seen a postal ballot sent by a military officer containing an appeal from the Marxist Communist Party's candidate. It has been sealed and sent and I sent a complaint to the Election Commissioner. I have got that Communist appeal with me. It is printed in red. In my constituency I had to ask two polling officers to get out. Two ballot papers were given—one was the Assembly one and the other was that of Parliament. In my constituency 7,000 blank ballot papers appeared and in Palghat where we

captured a seat of veteran leader, Mr. Gopalan.

SHRI JYOTIRMAY BOSU: On a point of order. It should have some relevance to the subject he is discussing.

SHRI VAYALAR RAVI: I am saying that this is relevant because the whole intention of the government was that this forum should not be used for political propaganda.

AN HON. MEMBER: What are you doing?

SHRI VAYALAR RAVI: You have done that you are doing the same thing that is what I am saying. In this House itself there was a lot of criticism. I am not saying that it should be used for political propaganda. See the whole history of Parliament. It was welcomed by the people. It has been praised by the people and it has been useful to the people. They speak about Jayaprakash Narain. I have nothing personal against him. He said that the RSS should be banned immediately after the murder of Mahatma Gandhi.

SHRI GAURI SHANKAR RAI (Ghanpur): On a point of order.

*Mr. Deputy-Speaker: Is this relevant to the Bill. There must be the remotest sense of proportion.

MR. DEPUTY-SPEAKER: I will take care of that. Most Members are not adhering to that principle. It cuts both ways.

SHRI S. KUNDU: On a point of order. You will be pleased to permit me to make a request to the hon. Minister Advant that he could move an amendment to the Bill that only relevant portions of the speech can be published. (Interruptions)

MR DEPUTY-SPEAKER Order,
order It is not a point of order.

SHRI VAYALAR RAVI When the hon Member there was speaking he was abusing the former Prime Minister Indira Gandhi and the former government (Interruptions) I agree, I am only sorry that J P has changed his stand on the banning of the RSS; he is absolving those people now who are now in the Janata Party One of the constituents of the Janata Party, the Jan Sangh has not expressed any regret for what happened in 1948 namely, the murder of Mahatma Gandhi J P wanted to ban the RSS in 1948 he has changed and he is now defending the RSS (Interruptions)

I am saying that this Bill is good for the country and people must know what is happening in the House I welcome the Hon-Ministers attitude to this matter and I congratulate him on that

श्री जेशवराय घोंडगे (नागपूर) जनाब डिप्टी स्पीकर साहब, यह बिल जो यहाँ पर पेश हुआ है, उसके बारे में मैं मिनिस्टर साहब का धन्यवाद करना के लिए खड़ा हुआ हूँ। हिन्दुस्तान के अन्दर हम जम्हूरियत की बात करते हैं, लेकिन 30 साल की भाव की वजह से जम्हूरियत को जिस तरह से ज़िबह किया गया है, मैं समझता हूँ दुनिया में ऐसी मिसाल नहीं मिलेगी। लिहाजा जो बिल इस वक्त आपके सामने पेश है वह जम्हूरियत की इज्जत है, आम पब्लिक की शान है और जनता पार्टी और दूसरी सारी पार्टियों की कामयाबी का तोहफा है—अगर मैं ऐसा कहूँ तो यह गलत नहीं होगा। हम लोग जो यहाँ पर आये हैं, कोई गलत बात कहने के लिए नहीं आये हैं और अगर कोई गलत बात कहने है तो आप - हा मौजूद हैं और पार्लियामेंट के कानून हैं। पिछले दिनों में पार्लियामेंट के सुप्रिम होने के ब बज्र भी पार्लियामेंट का मूह बंद किया जा रहा था। हम लोगों के नूमाइन्दे यहाँ होन के बावजूद भी हमको खुल्लम-

खुल्ला नुक्ताचीनी करने का हक नहीं था, हमको गुला बना दिया गया था। लिहाजा, इस दुनिया के अन्दर, इस राज के अन्दर, इस मुल्क के अन्दर असेम्बली गुनी की जाती है। मेरे ध्याल से यह जम्हूरियत नहीं है, यह जम्हूरियत का मुर्दा है। उस मुर्दे को ज़िन्दा बना कर यह बिल लाया गया है। मैं इसका अनुमोदन करता हूँ। सदर साहब, इस बात के लिए हम भर्नमेंट की जितनी तारीफ करें कम है।

मैं बीस साल तक असेम्बली का मॅम्बर रह चुका हूँ। अगर हम कुछ छपवाना चाहते हैं तो छपवा नहीं सकते थे। अगर इसकी काशिश की जाती थी तो हम पर जुम लग दिया जाता था, हम पर जुर्माना कर दिया जाता था। मैं 'जनशक्ति' साप्ताहिक का एडिटर हूँ। मुझे भी डिटेन किया गया। दस-बारह महीने तक मैं जेल में रहा। उसके बाद जब मैं असेम्बली में हाज़िर हुआ। मैं अपनी हाज़िरी के बारे में कहना चाहता था, यह कहना चाहता था कि मैं छूट गया हूँ वह भी मैं नहीं कह सका। हम लोग की मुक्ति लात बयान करना चाहते थे लेकिन हुकूमत ने हमें वह भी बयान करने की इजाजत नहीं दी। हम यह नहीं कहने दिया गया कि हम मर चुके हैं कि ज़िन्दा हैं। लेकिन हम ज़िन्दा रहे। हम में आजादी की लगन लगी हुई थी लेकिन हम इस आजाद मुल्क की खिदमत नहीं कर सकते थे, सदर साहब, यह कौन-सा जनतंत्र है ?

सदर साहब, जयप्रकाश नारायण को बरनाम किया जाता है कि वह अधिनायक-शाही की बान बोलता है, वह मिनिट्री के बारे में बोलता है, इस वजह से देश में एमर्जेंसी आयी है। मैंने असेम्बली में कहा था कि कौन कहता है कि जयप्रकाश जी की वजह से एमर्जेंसी आयी, इसके लिए जयप्रकाश जी जिम्मेदार नहीं है। काई कहता है कि इसके

[श्री कान्हराव शोडगे]

लिए हमारे हिन्दुस्तानी जिम्मेदार है, गुजरान के सारे लोग जिम्मेदार हैं। वे ऐसा पैमला नहीं करने तो एमरजेंसी नहीं आती। मिहा साहब की वजह से हम एमरजेंसी आए है। कोई कहता है कि हम पब्लिक व लोग, भार०एल०एम० व लोग, रिमोन मजदूर पार्टी के लोग इनके लिए जिम्मेदार है। इस क लिए राजनारायण जो जिम्मेदार है। अगर वे इन्कान विदीगन नहीं करने तो उनकी जेत नहीं डाली। मिहा साहब ने कहा कि इन क लिए प्राइम मिनिस्टर जिम्मेदार है अगर वे चुनाव में खड़ी नहीं हानी तो ऐसा नहीं होता। इनके लिए जयप्रकाश जो जिम्मेदार नहीं है, राजनारायण जो जिम्मेदार नहीं है। मीने प्रत्यक्षी में कहा कि इनके लिए राजा रामनाहन राय जिम्मेदार है। मुस से कहा गया कि एमरजेंसी व राजा मरन राय से क्या सम्बन्ध है उन्हें तो मरे हुए की मान हो गए? अगर वह नहीं होने तो यह सती की रसम बन्द नहीं होती। अगर सती की रसम बन्द नहीं होती तो यह एमरजेंसी नहीं आती।

जो चीज मैं प्रत्यक्षी में कही, यह बाहर नहीं आ सकती थी। यह बीनसी भाजादी है? भाप भाजादी के खास पैगम्बर बनने हैं, जम्हूरियत के खास पैगम्बर बनने हैं। इसके बावजूद जो हम इन पार्लियामेंट में, प्रत्यक्षी में बात करते हैं वह शायद नहीं हो सकती। भार महिषासो की बात करते हैं और उनके लिए भाव ज उठाने वालों की भाप जेल में डालत हैं। इस चीज के लिए तो भापका भाजादी थी, अगर जम्हूरियत को बचाने के लिए अगर कोई नुमाइन्दा कुछ कहता था तो उसको भाप करने की उसको भाजादी नहीं थी।

लिहाजा मैं हिन्दुस्तान की जनता का और बहादुर मतदाताओं का नुक्रिया मदा करता

हू कि उसने चुनाव के घन्टर बता दिया कि दुनिया की कोई ताकत लोगों को गुनाह नहीं कर सकती, दुनिया की कोई ताकत, दुनिया का कोई डिक्टेटर हमको भाजाद रहने से नहीं रोख सकता। हम इंसान हैं, इंसानों की हैसियत से जिंदा रहना चाहते हैं। जनता ने जनता पार्टी को जिता कर उन सारे व से बानूनों को ठूँकरा दिया। इससे बावजूद भाप कहत है यह बानून ठीक था। दूसरी तरफ भाप जनता की बात करत है, जम्हूरियत की बात करते हैं। पार्लियामेंट जनता की सुप्रीम बाडी है। लिहाजा यहाँ पर हम जो बात कहत हैं वह बात जाऊ की मानूम होनी चाहिए। जनता का वेंकटूक समझ कर राज करने का भाव जमाना नहीं रता। लिहाजा जो बिल लाया गया है उसका ताईद करके नें भापका नुक्रिया मदा करना हू।

SHRI SOMNATH CHATTERJEE (Jadavpur) Sir, we heard with interest the speech of Shri Vayalar Ravi who has got back his freedom to speak though of course, he was talking with his tongue in his cheek. The only thing he has not explained is why he supported so strongly the Bill which was brought to commit an outrage on parliamentary democracy in this country. We are glad that another atrocity which was committed against the democratic set up in this country is being nullified today, like the Bill we passed yesterday.

The previous Government, being afraid of exposure of their misdeeds and being sensitive to even constructive criticism made in this House tried to create a hiatus between the Parliament and the people. They wanted to ring down a curtain between the people's representatives and the people so that what was done here would not reach the people. All the cherished principles were repudiated with a vengeance to consolidate the position of an individual and a family. All norms of a democratic way of life were polluted in this country to

bolster up a make-believe situation to justify their perversion, namely, the so-called emergency. They repudiated Jawaharlal Nehru when they took away the freedom of the press and brought forward the most Draconian preventive detention law in this country. No wonder they repudiated Feroze Gandhi by nullifying his greatest contribution towards the development of parliamentary democracy in this country and sustenance of the freedom of speech. When the Bill was considered in this House in 1956 the then Law Minister, Mr Pataskar, said

"I think this is a very good Bill with a very good objective. I commend the effort of my friend Shri Feroze Gandhi, who has so ably put forward the Bill of such an important nature. I commend this to the acceptance of this House and I really appreciate the efforts he has put into a very right and important Bill."

That support which was given to Feroze Gandhi's Bill was withdrawn not surprisingly because the Congress of 1978 was much different from the Congress of 1956. They had strayed from the path of democratic process and devalued all norms of democratic life in this country. One thing we used to hear so many times during the last House was that the Parliament was supreme. Parliamentary supremacy was sought to be made clear by the way they were exercising the powers which the people had given to them. They justified all the Draconian laws on the basis of the 'massive mandate' which they always reminded us during the last House, they had received. But how they misused the powers which they had received from the people! This Parliament was made a rubber-stamp Parliament, I repeat. They came back to the House in 1971 with the slogan of 'garibi hatao'. The first thing they removed in 1971 was the personal liberty of this country by passing that

black law called MISA. The Parliament became their hand-maid. All sorts of Draconian laws like the Election Law Amendment Act, 42nd Constitution Amendment, Additional Emoluments Act, Press Laws etc were put in the Ninth Schedule, knowing that they were unconstitutional and would be struck down if challenged before the courts. This was all done in the name of maintaining parliamentary supremacy in this country! Parliamentary supremacy according to them was the supremacy of an individual whose election must be upheld at all costs! When everything was sought to be done in the name of the people they really hoodwinked the people because the people were their real target. The people lost their freedom and liberty. The people's representatives lost their freedom to speak. That was the way they gave lip sympathy to the concept of parliamentary supremacy. Today we have seen the Leader of the Opposition who has said openly that they will oppose the Constitution (Amendment) Bill which has been introduced in the House today. They want to perpetuate their illegal rule in different States by extending the mandate which the people had given them in 1971. From five years they have raised it to six years. Now, they are afraid of facing the people. Today, they want to take shelter under that illegal, unconstitutional bill which was bulldozed through this House taking the advantage of people like Mr Vajalar Ravi, our good friend, who is now talking so much eloquently about the freedom of the press and the Feroze Gandhi Act. The only thing they have not explained is that why they have shown cowardice during that period. If they had any sense of loyalty to the Constitution and any sense of loyalty to the people who had elected them they would have opposed that. They had lost their sense and they had lost their conscience to a person who had acted as a political marauder in this country during the last 20 months.

[Shri Somnath Chatterjee]

Feroze Gandhi while piloting the Bill had said that the people have a right to know what their chosen representatives say and do. The people of the country have the same right to know what their representatives are doing whether they are justifying the confidence reposed in them whether they are putting forth before the Government the real issues before the country and whether their hopes and aspirations are reflected through their representatives or not. That dialogue was stopped and that source of information on them was dried up by the previous Government which have no courage to face the people now. They repudiated Jawaharlal Nehru to them. Feroze Gandhi was much lesser a man. The public conduct of every public man is a matter of public concern. Therefore we are accountable to the people and how do we make the people know except through newspapers and mass media?

One thing ought to be remembered that the Feroze Gandhi Act did not give immunity or unwarranted liberty to the press. There has been complete misapprehension when they say that by this Act the press people are getting complete immunity they are getting a free licence to print whatever they like this is absolutely misleading. The statute only extended to publishers of parliamentary proceedings a qualified privilege and not an absolute privilege. The report must be substantially true and publication must be for the public good and made without malice. To claim immunity a report must satisfy all these three tests which have been laid in the law. But see the anomaly that was created. Under Article 105(2) of the Constitution what we say in this House is our privilege but what we say if that is published, is not a privilege. Therefore, what was the necessary corollary of 105(2) of the Constitution namely immunity given to Members of the House, was not being

extended in a practical sense to make it effective privilege and effective immunity.

During the last debate Shri Shukla, guilty of dishonourable conduct tried to justify that draconian law, the repealing Act by saying 'This Bill is meant to uphold the honour of this House and the honour of the Member of this House and also the honour of the citizens of the country by removing unwarranted immunity and privilege given to editors, printers publishers of newspapers who can malign you in any manner they like.' Persons guilty of dishonourable conduct who had perverted all notions of honour in this country were talking of the honour of the citizens and honour of the Members of this House. The immunity was not necessary for the Press or the Members as such. What they wanted was an immunity from the exposure of the misdeeds of the last Government and its Ministers. They wanted that those things should not go to the people and reach the people. The immunity was sought for corrupt, inefficient and sycophant Ministers and the Queen Empress. That was the immunity which they wanted. They deliberately misled and gave a wrong and misleading picture to the people of this country and bulldozed that black law through this House with the active support of friends like Mr Vayalar Ravi. This is a House of the people. We are here because of the people. We cannot operate in isolation cut away from the people. We are thought to be the people's mouth piece, whether Mr Lakkappa likes it or not. By gagging the proper publication of the parliamentary proceedings the previous government really gagged the people of this country. The dialogue was lost. That is why we feel that the present repealing bill which has been brought to revive the Feroze Gandhi Act is a very welcome bill. And we always knew we believe and we have found that generally the Press in this

country has behaved with responsibility. Mr Ravi has not been able to point out nor the Members on the other side have been able to point out any act or any publication which was protected as a result of the Feroze Gandhi Act. The laws of this country are sufficient to deal with any erring journals or any erring reporter. Certainly such draconian laws are not necessary to deal with the publication of that kind. I support the bill. I only wish that the support from the other side was a sincere one. For the time being they have realized that it is necessary to support this repealing bill. But the performance today of the Leader of the Opposition shows that they have not changed very much. They are out to declare a war on the people.

MR DEPUTY SPEAKER There is no time allowed for this Bill. I suppose we have to finish this Bill today. There are 4 Bills, 2 Resolutions and 2 Discussions. I do not see how we can go through all of them with people going on sending chits that they want to speak. I have received at least a dozen names apart from those submitted by the Whips. I think we can fix a time for this Bill.

SHRI K. FAGHU RAMAIAH (Guntur) You can fix any time, we will cooperate. But we are not sitting beyond 6 p.m.

MR DEPUTY SPEAKER It is up to the House. Shall we fix a time for this bill? We have already spent 40 minutes on this.

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI I. K. ADVANI) I think we should complete this by 3 p.m.

SHRI SOUGATA ROY (Barrackpore) Yesterday we from the Opposition raised a demand that the bill be passed yesterday itself. The Minister of Information and Broadcasting then was particular that the discussion may be continued so that the Opposition party can be civilized.

SHRI L. K. ADVANI I said so yesterday because some Members were insisting that they would speak.

MR DEPUTY SPEAKER Now I feel that with chits coming from so many Members that they would like to speak it will be difficult. I think we can conclude at 3.30 p.m.

SHRI C. M. STEPHEN (Idukki) Mr Deputy Speaker, I am joining in this debate. It is purely to put in focus certain important aspects concerning parliamentary proceedings. It appears there is a feeling or there is an impression that conventionally it has been a part of the privilege of the House of Commons or of this Parliament that the publication of whatever has taken place in Parliament has immunity. I would like to emphasize for whatever purpose it be that that is not the case. If you go through the history of the development of privilege and the publication of parliamentary proceedings you will find that in the initial stages coming up to the beginning of the 20th century the early part of the 20th century the standard of the House of Commons has always been that the publication of the speeches and the proceedings of the House is a breach of privilege, not the non-publication. The House of Commons has been repeatedly passing resolutions forbidding the publication and warning that the publication of the proceedings would be a breach of privilege. It was only in 1909 by an Act of Parliament the position was changed (*Interruptions*). What I am saying is a historical fact which Shri Advani is corroborating. It is only later finding that this prohibition of the publication of parliamentary proceedings will not be in the interest of the public good may be that the Parliament came out with an Act permitting its publication apart from the further law which protected such publication. What I am saying is from the parliamentary point of view the Mother of Parliaments has been taking this view for

[Shri C M Stephen]

several years may be for reasons obtaining at that time, that the publication of proceedings is not a privilege. Anyway, that was the old position which has no relevance today, when the publication is freely allowed, it is even televised. So we have now come to that particular stage. What I am saying is the old story. I am only saying that let us not get away with the idea that it is an elementary principle. It is one thing that is good and it is another thing whether it is a matter of privilege. I am only saying that it is not a part of the parliamentary privilege that the proceedings be published. It may be that from the point of view of the common good it must be published, may or may not be, opinions can differ.

Now, coming to this Bill, it seeks to protect certain things which previously, had it not been for this Bill, would be actionable. Let us see what exactly is that area where this protection is required. It comes under the law of libel, slander and all that, it comes under the law of defamation. What exactly is that category of things which need special protection?

Let us look to the penal law, the Penal Code. What are the items of defamation? Section 499 is there. There are many sections and some exceptions have also been mentioned. For instance, it is not a defamation to impute anything which is true concerning any person, if it be for the public good. Now the Bill before us says that even if it is not true, whatever it be, it can have protection only if it is for public good, not otherwise. Even if you pass this Bill, not any publication gets protection; you get protection only if it is for public good. So, the first exception is that it must be true and it must be for public good, in which case it is no defamation. The second exception is that it is no defamation to express in

good faith any opinion whatever about a public servant, in his conduct as a public servant. You can attack any public servant. It need not necessarily be true; it will still not be defamatory. For the publication of that no special protection is necessary. Thirdly, it is not defamation to express in good faith any opinion whatever in the conduct of any person touching any public question. Therefore, so far as a public servant is concerned, you can criticise him and no special protection is necessary. It is not defamatory, even if your criticism happens to be untrue. So far as a non-public servant is concerned, you can criticise him on his behaviour with respect to public questions. There also it is not defamation. It may be defamatory in the literal sense, but not in the legal sense, and no special protection is necessary.

Again, according to section 499, you can criticise a public judgment, it is not defamatory.

So, what exactly is the class of cases which needs special protection? This is the point that I want to emphasize to which I want to draw the attention of the House.

The class of cases which needs special protection is not attack against a public servant; it is not attack on a politician on a question of public importance but on a person who does not come under any of these classes, an unfortunate fellow against whom you may be making some statement. If that statement is true then also it is protected. If it is untrue, then alone special protection becomes necessary.

Therefore the point is, is it to be a part of the privilege of this House that you attack a private citizen who has nothing to do with public conduct, who is not a public servant at all and attack him with allegations which are untrue which are proved to be untrue, and you carry on that attack?

SHRI S KUNDU Who proved it?

SHRI C M STEPHEN Which is substantially untrue? If it is true, you are safe, it is not defamatory. If it is untrue, then alone it becomes defamatory.

SHRI S KUNDU It cannot be.

SHRI C M STEPHEN If the attack is against a non-politician, a non-public man, if the attack is against a non-Government servant, non-public servant, if the attack is against a private individual and the allegation is not true, then the publication becomes actionable, coming within the definition of section 499. That alone needs protection.

The simple question I am putting before the House is, is that sort of allegation to be encouraged? I would beseech Mr. Advani to point out a case other than that which I have mentioned for the publication of which special protection is necessary. This is the only case as far as my information goes.

Therefore, because there is a Parliament here, because we have immunity here, you can make an attack, nobody stands in the way, and that can go into the publication of this Parliament, but if it goes into the newspapers, what is the protection of that individual? That individual has absolutely no protection, there is no action which he can take. Is that the state of affairs to be permitted? Is that to be encouraged? Is that contributory to the common weal? That is the simple question that I am putting forward. I am inviting your attention to rule 353 of our Rules of Procedure.

"No allegation of a defamatory or incriminatory nature shall be made by a member against any person unless the member has given previous intimation to the Speaker and also to the Minister concerned so that the Minister may be able to make an investigation into the matter for the purpose of a reply."

In my experience, and I hope I will be sustained by the other Members of this House, this provision is as good as dead. If you want to make an attack against a non-entity who does not come under the categories I have mentioned, the rule says that you should give notice to the Speaker and the Minister concerned about the allegation that you are going to make about that non-entity. What is the investigation that the Minister is going to make, how is he interested in replying to it, how is the individual to be protected? The only protection is the Petitions Committee. The Committee investigates, the thing is filed, nobody cares to publish it because it is after a year or so, and no further proceedings are available to us. When we pass this Bill, I want to urge the feelings of a large number of people who may come in for malignment. We are 542 Members here. How many of us are indulging in that sort of thing? I can point out one or two, not more than that, who are specialising in this sort of blackmail and you want to give him protection. You are not concerned about the common man, the public man, the public concern maligned on the Floor of this House and that malignment campaign getting round with the result that that man is 'murdered' in the public. What I wish to emphasise is that you pass this Bill in all good faith, but I do not understand what public interest is served.

You should take care about other cases also. You should think of certain provisions to protect the other persons also, and if necessary, the Rules of Procedure may be amended. If a petition comes before the Committee on Petitions, that matter may be published and that may get much publication than the previous one. Let us protect the common man and the simple man of this country who is now being brought under malignment campaign for no fault of his own. For another purpose, *prima*

[Shri C M Stephen]

fact there is nothing objectionable thing about this Bill. But according to me this is a mischief that can creep in against him behind the cover for which some protective measures are called for.

डा० राम जी सिंह (भागलपुर)

उपाध्यक्ष महोदय, हमारे प्रतिपक्ष के मित्रगण भी यह साहस नहीं करेंगे कि जा हमारी स्वतंत्रता के सम्बन्ध में आपत्त हमें या उमका वे विराध करत। जिस विधेयक का प्रावधान और जिसकी प्रेरणा श्री फीरोज गांधी द्वारा हुई थी उसको न्यस्त कर दिया गया। उसका इमर्जेंसी से कोई सम्बन्ध नहीं था। वह संविधान की एक स्वतंत्र धारा में सम्बन्ध हो गया था। यह बिल जिसको हमारे सामने न्यस्त किया जा रहा है, अगर वह श्रुता तो उससे केवल समाचार पत्र की स्वतंत्रता पर ही आपत्त नहीं होता बल्कि सदन के सादा की स्वतंत्रता पर भी आपत्त होना। सबसे बड़ा आपत्त जो होना वह यह कि मूल्य प्रकट नहीं हो सकता था। यह सदन न तो आप का है और न मेरा है बल्कि यह सदन भारत वर्ष की 62 करोड़ जनता का है और इसलिए हम यहां जो बोलते हैं वह जनता के सामने जाना चाहिये। इस बीच जनता और सदन के बीच में जो दीवार खड़ी करने का दुष्कर्म और पद्धति किया गया, आज बहुत खुशी है कि आपका सहयोग से उसको हम न्यस्त कर रहे हैं। सभी आपने सामने कहा गया कि ब्रिटिश पार्लामेंट में भी ऐसी बात नहीं थी। यह सीमावर्ती की बात है कि ब्रिटिश पार्लियामेंट में भी एक स्वतंत्र सदस्य ने ही यह प्रश्न उठाया था और भारतीय सदन में भी एक स्वतंत्र सदस्य श्री फीरोज गांधी—न इस प्रश्न को उठाया था। स के सम्बन्ध में कई आरोप लगाए जाते हैं—यह कहा जाता है कि यहां हम लोग जो बोलते हैं उसको मंत्री-सद्वी भ्रष्टाचार नहीं छाया जाता है। हमारे दा मित्रों

ने कुछ उद्धरण भी दिये। लेकिन सभी हमारे मित्र चर्टजी माहत्र ने बतलाया कि इस की धारा 3 उपधारा 2 में तीन बातें का उल्लेख है—जा भी रिपोर्ट पब्लिश की जाय वह सम्पत्तिहीन है। यहां पर हम देखते हैं कि एक शब्द भी गलत नहीं होता है और उसका बाद शुद्धि करने के लिये भी दिया जाता है। इस लिये इस में कोई गलत बात होने की गुंजाइश ही नहीं है। इस में एक बात यह भी है कि किसी प्रकार का पूर्वाग्रह नहीं है। जब इतनी बात है तो इस मदन की कार्यवाही हमारे अवतारों में आये—यह उचित नहीं है। उपाध्यक्ष महोदय, हम जो भारतवर्ष के प्रतिनिधि यहां पर बैठे हैं और जो मौखिक हैं कि हमारा जो चिन्तन होता है वह हमारी जनता के पास जाना चाहिये—पिछले कानून में वह सम्भव नहीं हो पा रहा था। अब जनता के पास सही स्थिति पहुंच सकेगी।

15 hrs

हमारे प्रतिपक्ष के एक मित्र ने बतलाया कि जो अनुपस्थित लोग हैं, उनके विषय में जो आरोप लगाये जाते हैं उनका विवेक से लेना पड़ेगा यहां कोई नहीं होता है। उपाध्यक्ष महोदय, हम सोचना चाहिये कि प्रत्येक व्यक्ति का सार्वजनिक जीवन में अपना व्यक्तित्व होता है उसका व्यक्तित्व एक दण्ड के समान होता है। सार्वजनिक जीवन का कोई भी व्यक्ति अगर यह सोचे कि हम घट्टोटो में रह तो ऐसा नहीं हो सकता है। उस का जीवन पारदर्शी दण्ड के समान चमकना चाहिये। इस लिये सचमुच में हमारे सामने ऐसी कोई बात नहीं है।

जब पुराने रिल पर पिछली चीज सभा में विचार हो रहा था उस समय हमारे विधेय मंत्री ने कहा था कि हमारे मौखी साहब सी, आई, ए के एजेंट है या

के० जी० बी० के एजेन्ट हैं—मैं ऐसा समझना हूँ कि ऐसी भ्रामक बातें तहने में जनता पर कोई भ्रम नहीं पड़ता है। जब भारतवर्ष का जनतन्त्र इतना परिपक्व हो रहा है कि वह इस प्रकार के भ्रामक सत्य और झूठ में भी विभेद कर सकता है कि मोदी साहब सी घाई ए० के एजेन्ट है या के० जी० बी० के एजेन्ट है।

अध्यक्ष महोदय, हिन्दुस्तान के प्रेम के सम्बन्ध में कहा गया है कि सूर-जवाबदेह हैं। मैं कहना चाहता हूँ कि आप पांडा प्रेस बमीशन की एन्वायरी रिपोर्ट को पढ़िये—उस में आप को सब कुछ स्पष्ट हो जायगा। उस में बताया गया है कि सचमुच भारत वर्ष का प्रेस समूची दुनिया में अधिक से अधिक उत्तरदायी प्रेस रहा है। इस लिये प्रेस की स्वतन्त्रता पर आपात करना देश की स्वतन्त्रता पर आपात करना होगा। यहाँ पर कहा गया कि यह बिल तुरन्त नहीं लाया था। लेकिन अभी एक माननीय सदस्य ने कहा कि ब्रिटिश पार्लियामेंट में भी बहुत दिनों के बाद लाया था। यहाँ भी यह बिल एकाएक नहीं लाया था, इस के पीछे कुछ वृत्तमूर्ति है—1956 में पी० टी० आर्द ने मोदीनगर की क्षेत्र के बारे में बहुत कुछ लिखा था, नेहरू जी ने सावरकर के विषय में बहुत कुछ कहा था, फीरोजशाही जी ने आर० के० डालमिया पर बहुत से आरोप लगाए थे—लेकिन इन सब बातों को छानने की संखबारा की हिम्मत नहीं हुई थी। अभी चन्द प्यारे साल के बारे में बहुत सी बातें रिपोर्ट में आईं लेकिन वे भी संखबारों में पूरी तरह से छप नहीं सकीं इस लिये इस कानून की जरूरत पड़ी। उपाध्यक्ष महोदय, अगर इस सदस्य की कार्यवाही संखबारा में नहीं छपी या सफ़दी तो सत्य ठका हुआ रहेगा। इस लिये यह बिल सचमुच में सत्य का उपाय है।

उपाध्यक्ष महोदय, हम बहुत खुशी हैं कि हमारे प्रतिपक्ष के मित्रों ने इस का समर्थन किया, लेकिन थोड़ा देरी हुई जवान में। मेरी इतनी ही प्रार्थना थी, अगर दिन खोल कर समर्थन करते तो उन का पुण्य हम लोगों के साथ होता। इस तरह व समर्थन में तो उन के हृदय की पाली भावना प्रकट हो रही है। जा कुछ भी नष्ट जाय उम्मीक हृदय से कहा जाय। इतना ही कह कर मैं आप को बहुत धन्यवाद देता हूँ।

SHRI C K CHANDRAPPA
(Cannanore) I rise to support this Bill immediately after Emergency was declared the Government had brought forward two obnoxious Bills. One was the repeal of the Feroze Gandhi Act and the other was the Prevention of publication of Objectionable Matter Act. At that time also we made it clear that our Party was opposed to this measure and we made it clear because of the very fact that in a democracy the functioning of Parliament should not be kept a secret from the people. The people should come to know what is happening in Parliament and the Press should be able to report without fear what are the demands voiced by the representatives of the people in Parliament. We feel that this Act prevented the Press from discharging its responsibility.

Now, it was stated by my Hon friend Shri Stephen that even in the British Parliament in the ancient days, reporting of Parliamentary proceedings was considered to be a matter of breach of privilege. In those days perhaps democracy as we understand it today was not existing. Today, if the representatives of the people who are elected to Parliament come here and misbehave, then I am sure that the greatest guarantee is that the people will not elect them again bill

[Shri C. K. Chandrappan]

send them back to Parliament. So, if the representatives of the people are unworthy of becoming representatives of the people, that fact should also be reported to the people—that there are certain Members behaving in a manner which is not worthy of the position they are enjoying.

While supporting this Bill I would like to make one thing clear, that in a democratic system it is absolutely essential that the people should know what is happening in the Parliament and the Press should be able to convey this information to the people. That was prevented when the former Government repealed the Feroze Gandhi Act. Today, I must say that if the Congress is forced to sit in the Opposition, one of the greatest contributory factors is these two Bills because, in the name of protecting the dignity of Parliament and in the name of protecting the dignity of Members of Parliament, what was done was to keep the country in darkness as to what was happening in the Parliament. This was not a thing which was expected when Emergency was declared. While misusing the powers bestowed under the Emergency, with a kind of arrogance, they tried to arrogate themselves to a position of being protected from everything. The people rejected this and that rejection should come as a lesson to those who are in power and those who are in the Opposition. In this country our people are mature enough to understand how the Parliament should function in a democratic set-up and what should be the responsibility of the Members of Parliament. This Bill in my opinion offers a proper balance so that the representatives of the people who come to this House will speak freely whatever opinions they would like to voice in this Parliament on behalf of the people while the Press will be free from fear in reporting it. That is the greatest contribution of this Bill. The press will be free from fear to report back to the people that this is what

their representatives are doing in Parliament.

Mr Stephen was saying that there are other laws by which the freedom of the press could be protected. They are not enough. In a democracy, if the press has to report and then all the time they have to keep themselves under fear whether there will be a defamation case I do not think that the press will be able to discharge its duties. This was exactly the argument the Member was advancing when the Bill was introduced during Emergency, this was exactly the defence put forward by the then Minister, Shri V. C. Shukla, that the press could report and then face the proceedings in the court if they violated the law of the land. That should not be the case of the press in a democracy. That is why, we support this Bill. This is the greatest guarantee that what we are doing in this House will be reported to the people fearlessly by the press.

Another point I would like to make in this connection is this. Now the press will be free—after we have enacted this legislation. I do not know whether it is a fact, but I hear from some pressmen that the Lok Sabha Secretariat is often imposing several restrictions on the press when they are reporting matters about the proceedings of the House. I request the hon. Minister to look into that, because, that would be some kind of a harassment of the press. If it is not true, he may make it clear.

MR. DEPUTY SPEAKER: As far as the Lok Sabha Secretariat is concerned it is for the Speaker to look into it.

SHRI C. K. CHANDRAPPAN: You may kindly look into it, Sir. It is not that I am making a complaint, but if such a thing is happening, it will not help fair reporting of the proceedings of the House.

MR DEPUTY-SPEAKER I do not think there are any restrictions.

SHRI C. K. CHANDRAPPA With these words, I would like to support this Bill. I once again extend my congratulations to the hon. Minister, Shri L. K. Advani, for having brought forward this Bill.

PROF. P. G. MAVALANKAR (Gandhinagar) Mr Deputy-Speaker, Sir, I wish to congratulate the hon. Minister doubly, I had done it yesterday and I wish to do so today also with great pleasure, and in doing so, may I take the opportunity to pay my tribute to late Shri Feroze Gandhi for the manner in which he fought for this right of the press which is really the right of Parliament, because we sitting in this House have a right to reach our voters, and we reach the voters only through the press. It was late Shri Feroze Gandhi who, with his very characteristic outlook of independence and his characteristic sense of understanding of democracy at the grass-root level and at the national level, was responsible for bringing the original Bill in 1936, and I must pay my tribute to him once again. I had the privilege of knowing him closely, and I am sure, his spirit and soul will rejoice on our having brought this measure back on the Statute Book.

The great tragedy was that the previous Government brought their Bill and got it rushed through in such a mad hurry that, although some of us on this side of the House, i.e. the Opposition, opposed it they were not mindful of any opposition, they were completely drowned, I would say, in the arrogance of power, they were more than drunken in that mentality of absolute power. Their Bill meant a kind of barrier between Parliament and the people, because the press was being gagged, it was an unbearable, unpardonable and unjustifiable wrong. I am glad that that wrong has now

been righted by the present Minister of Information and Broadcasting.

The word 'Parliament' has come from parley which means 'to talk'. I remember, the late Deputy Prime Minister of Britain, Herbert Morrison, —under the Labour Government of Prime Minister Clement Attlee—once described the British Parliament as a talking shop, not in the sense that we talk shop here. We do not just talk shop, we talk here business, meaning people's interests and welfare, so that the business goes back to the people, and people bring their own business back to us which we bring to the notice of the Government. We talk here so that it is reported there in the homes and huts of the countless people of our country, and that work is done through the press media. We are the spokesmen, we are the *vachaspathis*, of our voters, of our masters, and if what the *vachaspathis* or the spokesmen talk here is not reported back to the masters in their huts and homes, then what is the point in having this sovereign Parliament?

I would conclude by saying that the Members of Parliament and their constituencies, and the Members of Parliament and our country, can be combined only by a process of communication and contact and this communication and contact between the rulers and the ruled is possible only if full and continuous courtesy and consideration are extended to the citizens of our Republic, who are both our voters and masters.

Lastly, I cannot resist the temptation of paying tribute to many of those journals, both underground and on the surface, which carried the message of several of us in Parliament, even though it was a truncated Parliament, even though it was a subservient Parliament, to the people. Some of us, may I say in all humility, had the privilege even in that kind of Parliament to say things fearlessly, without any fear or favour, openly and fully, and our message was sent out

[Prof P G Mavankar]

during those blackest, most difficult and dangerous days of the long period of emergency of 19 months. At that time the mass media for us were absent and silent and this job was done continuously and well by the invisible and visible media of persons and certain journals. People were fed by the open and underground journals which were kept vigorously alive. I mentioned some papers yesterday and I would like to mention today a few more like *The Statesman* from Delhi and *Calcutta Mainstream Weekly Freedom First* edited by our old friend and colleague Shri Minoo Masani *Janata Weekly* from Bombay edited by another of our old and esteemed colleagues Shri N G Goray and Gujarati papers like *Bhupatru*, *Nirikshak* and *Prabuddha Jeetan*, and in Marathi the *Manus* weekly, *Kartavya*, an occasional miscellany and many others which carried on the work of reporting Parliamentary speeches in spite of the repeal of the Feroze Gandhi Act. I want to pay my tribute to all these underground and surface agencies and journals who did such a good job.

Sir, we would be very happy as long as this country and this House has the guarantee that the debate continues in Parliament and outside. When I say this, I am reminded of a BBC programme under the title 'Debate Continues'. Perhaps, Shri Advani could do something on the lines. Years ago I remember listening regularly to that programme Princess Indira of Kapurthala giving an account of what happened in the House of Commons and the House of Lords back to British people and the world at large through the overseas service of BBC. A debate should continue in the Parliament as also through the press media outside Parliament.

We are grateful to Shri Advani and the present Janata Government who have sought a repeal of the bad Act and have brought in this Bill to revive the Feroze Gandhi Act. I wish to

congratulate Shri Advani once again for that.

SHRI SOUGATA ROY (Barrackpore) Mr Deputy-Speaker, Sir, as yesterday today also I rise not in opposition of the Bill. As we have said a number of times from this side, our job is not to defend the indefensible. Our leader, Shri Chavan has admitted that the verdict of the people against the Congress was due to some excesses committed during Emergency. We shall not therefore, speak about that. The hon members from the ruling party in these few days of Parliament session have spoken ad nauseum about their bravado and courage during Emergency. There is no need to go back to all those things, let us think together constructively of a new India, in which we will have better future for all the citizens. I am very glad that today in this House we have heard such eulogising remarks about Shri Feroze Gandhi and today Shri Advani by this enactment is going to put again into operation the Feroze Gandhi Act. That Act was, in fact, a great Act in order to defend the fourth Estate of democracy, namely the press. That will also complete the privileges of Parliament given under Article 105 (2) of the Constitution. I do not know whether it is out of real respect for Shri Feroze Gandhi or in an effort to denigrate his spouse Shrimati Indira Gandhi our former Prime Minister that all this eulogy has been placed here. But the relation of the ruling benches to Feroze Gandhi does not end with again putting into operation the Feroze Gandhi Act. If I remember right, it was in this House that Shri Feroze Gandhi made an impassioned appeal for an inquiry into the Mundhra affair and on his appeal, the Chagla Commission was appointed and among the various persons which that Chagla Commission named was Mr H M Patel, the present Finance Minister and here the present Government relates itself to Feroze Gandhi in various ways, not only in the Press Act but also with regard to his efforts to unveil the Mundhra mystery.

I have just heard Mr Chatterjee also our eminent colleague from Bengal, doyen of Bengal lawyers and son of one of the topmost lawyers in the country, speak about Shri Feroze Gandhi. I think his Marxist colleagues will not agree with every thing he has said. Possibly they will say that he has not properly declassified himself and that is why he went out so much to praise the Congress in 1956. If Mr Somnath Chatterjee will take the care of going into what the Marxists used to say in 1956 about Pandit Jawaharlal Nehru. I think he would have said differently from what he has said to day. But I will not go into what the Marxists said in 1956 about Jawaharlal Nehru. But what I want to remind Mr Chatterjee is that he has so eloquently spoken about the responsibility of the Press in this country. If my memory serves me right in 1969 when the United Front Government was in power in West Bengal and Mr Jyoti Bosa of Mr Chatterjee's Party was the Home Minister crowds of CPM Youth organisation went and ransacked the *Ananda Bazar Patrika's* office and then they offered no apologies for what was done at that time. It is good that Mr Chatterjee's attitude towards the Press and the *Patrikas* has changed in the meantime (Interruptions)

You attacked *Ananda Bazar Patrika's* office. Don't forget. You are talking about democracy. Mr Somnath Chatterjee is talking about democracy. He is speaking so eloquently about releasing the Naxalite prisoners. If my memory serves me right Mr Jyoti Bosa, the then CPM Home Minister of West Bengal sent the Eastern Frontier Rifles to Gohaballabhpur and Debra to quell the Naxalites revolt there. And to-day suddenly they have become democratic and are speaking in eulogy of the democratic processes. If this great country has succeeded in making the Marxists democratic once again we bow our heads to this great country.

It is not so much due to Somnath Babus great flexibility and malleability but due to the pressurising effect of the great democratic people of this country that this has been done.

I again submit as I said Yesterday this Bill like the Yesterday's Bill was a corollary of the emergency and when the emergency has been lifted, this Bill should be repealed along with that and besides there is no necessity of this Bill to day because all the members in fear of whom this law had to be enacted are all sitting on the ruling benches. If my memory serves me right I was not a member of Parliament at that time. You were in the Rajya Sabha at that time. How many times did it happen that you found Mr Raj Narain lying on the floor of the Rajya Sabha and being carried by the Marshals of the House outside? How many times did it happen that here in the Lok Sabha the proceedings were interrupted by Mr Jyotirmoy Bosa, such an eloquent supporter of the ruling benches, and Mr Madhu Limaye who is such an eloquent supporter of the ruling benches? For three months the session of Parliament could not go on on a single scandal of Rs 70,000. You know yourself one day's session of Parliament costs the State Exchequer more than Rs 1 lakh and for three months it was held up because they wanted to find out about some scandal. If the Congress Opposition which is bigger than what the Opposition was at that time takes the same attitude what will happen? I am younger than either Shri Madhu Limaye or Shri Jyotirmoy Bosa. If I use my lung power at the same level the Government cannot go on. All legislative business will come to a stop. Even on the floor of the House if I make vituperative things against the Minister if I find out skeleton from the cover of every Minister, what will happen?

While I support the Bill I want to remind the Members that it should be the effort of all of us whether in

[Shri Sougata Roy]

the ruling party or in the Opposition to enhance the honour and the dignity of this august House which is the true representative of the people of this great country. It is in this channel that our efforts should be directed.

For the last two days I have been hearing too much about the BBC and the praise of the American Press. I beg of every member with folded hands let us not model the White Hall or the White House democracy. Ours is a poor country, but country with a great past and with a great heritage. Let us not imitate the White Hall democracy which Prof. Mavalankar or Mr. Subramaniam Swamy or anybody of the ruling benches want to emulate. Let us build up Indian model of democracy with our great tradition of tolerance, with great tradition of listening to other people and have respect for the feelings of other persons. Whatever has happened in the past. (Interruptions)

Mr. Kundu, I was not there. Let us bring a good future.

SHRI S. KUNDU: The wounds are still raw. (Interruptions)

MR. DEPUTY-SPEAKER: Please take your seat now. This is not the way to interrupt. I have been hearing so many interruptions. But this is not the way to interrupt. (Interruptions)

SHRI SOUGATA ROY: In all humility I may say that it is good that the ban on the press has been lifted and that the press can publish anything that will be spoken in the Parliament. But as I said yesterday, there is no real freedom possible under capitalism. If I speak today against some owner, some business magnate who happens to give advertisements stating facts to big newspapers, it will not be printed in the paper. I spoke the other day on the floor of this House

about the need to nationalise all jute mills—none of the papers printed it. The reason is simple. It is because the big monopoly house papers get advertisement from big jute mill owners. Not only that, the jute mill owners themselves are the owners of the press and publications.

While I support the Bill, I will again implore Shri Advani to think over this matter. There will be no real freedom of the press unless you diffuse the ownership of the press, unless the working journalists have a share in the ownership of the press, unless real socialist ownership takes part in the press and the press is freed out of the clutches of the new jute mill owners, landlords and monopolists in this country.

SHRI S. KUNDU: When shall I get the chance to speak?

MR. DEPUTY-SPEAKER: Mr. Kundu, I must remind you now. You must give your name to the whip. I have called all the persons whose names were given. About others, if time permitted, I could have called.

SHRI S. KUNDU: We have to take all the whips, including your whip.

The point I am urging is that at about 3 O'clock, you said it will conclude at 1540 and you will give each speaker not more than five minutes.

But the speaker who just concluded his speech, spoke for more than 11 minutes or 12 minutes. We are waiting and some speaker whose name is not in the list has been called.

MR. DEPUTY-SPEAKER: You must know there are very few speakers from the Congress benches and the time consumed by the entire Congress benches is less.

SHRI S. KUNDU: You have your discretion. I am not disputing your discretion. But the discretion should always be judicious.

MR DEPUTY-SPEAKER I have been very judicious, Mr Kundu Just because you could not get a chance, I cannot help I have been very judicious I have tried to accommodate as many groups as possible and I have tried to accommodate as many speakers from the Janta Party as possible So you should have no complaint on that account

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L K ADVANI) I deem it a singular good fortune that both the legislative measures that I have had to pilot in this session have received unanimous support from the House From a majority of the members the support has been enthusiastic and unreserved But by some members—yesterday there was one person today perhaps two—there have been some reservations expressed and even though they have supported the Bill they have voiced certain misgivings about what would happen if the Bill is passed First of all I would like to refer to two speeches, one that of Mr Stephen and the other that of Mr Songata Roy While Mr Stephen said that this kind of immunity will work against people who are not public servants not members of this House who are outside this House and it is essentially for them that this immunity was sought to be given my friend Mr Songata Roy raised a contrary point and said that if he or any member speaks against the jute press etc or against capitalists that is not reported He was more concerned with seeing what he says in the House about non-members being reported saying, it should not be left to them to report or not to report.

15 31 hrs

[SHRI S D PATIL in the Chair]

I find myself unable to accept these arguments so far as this Bill is concerned It is a simple Bill as the Statement of Objects and Reasons indicates Going through the entire debate that took place on the last Bill and this one I am not able to find an

nota of justification to show how the original immunity was in any way abused The allegations which used to be made on the floor of the House against the Ministers were all published It may be Mr Madhu Limaye or Mr Jyotirmoy Bosu or Mr Raj Narain They were published They wanted to see that this should not be published Mr Songata Roy says that this was because during the emergency this was necessary The same argument which was made yesterday was repeated today also I would again repeat that neither of these Bills had anything to do with emergency

As I said while moving the previous Bill I regard it as the previous Government's attempt to institutionalise the press curbs which could normally be imposed only during the emergency It was an attempt to perpetuate this control If this had continued on the statute book the Indian Press would have been fettered the Indian Press would have been a shackled press they would never be able to express the voice of the people The other Bill that repealed the Feroze Gandhi Bill had nothing to do with emergency During the emergency the proceedings of Parliament were censored and blacked-out This was something unheard of in the history of democracy My friend was eloquent and objected to references being made to BBC and American experience I am ready to benefit by the experience of everyone I am proud of the fact that India has tried to build up a tradition of its own It has got a heritage of its own in the field of functioning of Parliamentary Democracy But I am certainly not at all proud of it I feel ashamed when I find that during this period of thirty years there is a period of dark and dismal phase that started on 26th of June 1975 and that ended only with the installation of this new Government I cannot think that that is also going to be a part of my Indian democratic heritage

I would like to forget it altogether But if my friends on the opposite

[Shri L. K. Advani
side continue to swear by it and continue to hold that all that took place during that time was necessary was good and necessary for the country and was done for the democracy. Then I am sorry to say that the report that I am keen to build up will not be built up. We have to move away from this dark past we have to fix that and you can help to make us forget it. There had been several friends on that side who are constant to express freely. But I would appeal to them to be frank and forthright. So far as Mr Stephen's arguments were concerned as like yesterday they were painfully laboured. He himself said that there had been perhaps two or three instances. He named a couple of names and lesser instances, may be found out where because of the immunity given to the press non-members have been seriously affected and on the basis of that you want to put the whole press in situation where for every single line or word that he writes, he has to wait to see if it is going to land him in trouble or not. Democracy is based upon public opinion and the highest forum for the ventilation of public opinion is this Lok Sabha. The representatives of the people are here and the opinion expressed here can be regarded in a way as representative public opinion. And this has to guide us. And if we were to talk amongst ourselves and only a few in the press gallery or in the visitors' gallery are to listen to us and not the entire world outside then the democracy cannot function in a healthy manner. If some of us say something wrong, whether on this side or that side I would say that it is the right of the people to know what wrong do we say. If it only after listening to what wrong that we say that they will be able to judge how our representatives here are functioning.

Sir yesterday my esteemed friend Shri Mavalankar reminded me of a phrase of Jefferson. He said that when Jefferson was once asked whether, if he had a choice between a

government without a free press and a free press without a government, what would he choose he said that he would choose the latter—a free press without Government. I regard it as remarkable. This kind of statement was made by a person who had been the subject of what is known as vilification and character assassination of the worst kind from the American Press. It was his experience when he was in Government. When he became the president or even before that, he had to face a barrage of criticisms and even vilifications from the press. Even then he maintained it because he held that by and large political parties can be of two kinds broadly speaking one which trusts the people and the other that distrusts the people.

This Janata Government that has come into being if I were to identify its important characteristic of it is this. I would say that the basic characteristic of this Government will be that it starts from the position of trust. It trusts the people, it trusts every single institution of democracy; it trusts the press, it trusts the judiciary, it trusts the Parliament. You have a brief glance at the number of laws and the constitutional amendments that were enacted during the last twenty months by the previous Government. You will find that they betrayed distrust of the press. And this is one of the Bills that is sought to restore now this trust of Parliament.

Some of the provisions of the Forty-Second (Amendment) Act betrayed distrust even of Parliament and of the judiciary. Almost a series of laws can be cited where the judiciary powers are sought to be shut out. They should not be justiciable. All told, they added to our distrust of the people as a whole and I would say that, if today, the Congress has been rejected or if the Congress has come to the present pass, one of the reasons was that the Government in office distrusted even its own party, even the

Congress Party was distrusted by the government in office. So this distrust has been the main reason for the debacle of the party in opposition today which was in government till yesterday. So we start from the position of trust. This Bill that I have commended to you believes that the press can be fully trusted to perform its role.

Sir, here I would also like to say that it is an earnest of our faith that we for the first time in the 30 years started with saying that the Prime Minister should address the nation and on the next day the leader of the Opposition should address the nation. This is a measure of our earnest.

Sir, as Mr. Mavalankar was pointing out, it is not sufficient to pass laws. Something more is needed and what more needed is this kind of trust. Because of this trust we will be able to gradually shed the powers that you have accumulated. Look at these bills? What do they amount to? They amount to entrusting the government with lot of power. When we pass these laws, we are shedding the power that has been concentrated in this government. We think by doing this we are strengthening democracy, we are strengthening the people, we are strengthening the Parliament and thereby strengthening the government. With these words I thank you again for having given unanimous support to this Bill.

MR CHAIRMAN: The question is—

That the Bill to protect the publication of reports of proceedings of Parliament, be taken into consideration.

The motion was adopted.

MR CHAIRMAN: Now we take up clause by clause consideration of the Bill. There are no amendments.

The question is—

"That clauses 2 to 4 stand part of the Bill."

The motion was adopted.

Clauses 2 to 4 were added to the Bill.

Clause 1—(Short title, extent and Commencement)

MR CHAIRMAN: Now I will take up clause 1. There is one amendment in the name of Shri Samar Guha. He is absent. The second amendment is in the name of Shri Lakhan Lal Kapoor.

श्री लखनलाल कपूर (पूणिया) सभा
पनिमहादय मैं बलाज मैं प्रपना निम्नलिखित
संशोधन पेश करता चाहता हूँ—

Page 1 lines 7 and 8—

for 25th day of March 1977
substitute 8th day of Decem-
ber 1975 (2)

मेरे इस संशोधन का तात्पर्य यह है कि
घास न इस बिल में 25 मार्च, 1975 को
जिक्र किया है जब कि मैं चाहता हूँ कि इस
8 दिसम्बर 1975 से लागू किया जाए।
इस की वजह यह है कि बहुत से प्रेस या लोग
4 ऊपर पिछले कानून का प्रसार हुआ होगा
कुछ लोग को दण्ड भी मिले होंगे उन का
नुक्सान भी हुए होंगे। इस लिए यदि इस
में 8 दिसम्बर 1975 रख दिया जाए तो
ऐसे बहुत से लोग को जो इस से प्रभावित
हूए हैं उन का मुक्ति मिल सकती है। मैं
समझता हूँ कि मंत्री महोदय को इस स्वीकार
करने में कोई उज्र नहीं होना चाहिए—यह
बहुत ही माघारण की बात है।

श्री लाल कृष्ण शर्मावतों इस सम्बन्ध
में भेदा निवेदन है—घास इस का उपयोग
स्टिप्सिक्टिव करना चाहता है 25 मार्च
1977 की बजाय 8 दिसम्बर 1975 से
कराना चाहता है। लेकिन उक्त समय से-सर
णिग लागू की इस लिए कोई भी व्यक्ति उस
से प्रभावित नहीं हुआ है। यह बेलन भावना
की बात है। अभी हम जो कर रहे हैं यह
व्यावहारिक रूप में कर रहे हैं—25 मार्च से
जब से कि समय का अधिपेक्षा हुआ है

[श्री लाल कृष्ण शर्माजी]

से वेर आत्र तर जो कार्यवाही हुई है, उस
निष्कर्षमें रही—यह एक व्यावहारिक
बदल हम ने लिया है। इस लिए मैं आप में
अनुरोध करता हूँ कि आप अपने ससोधन का
वापस ले लें।

MR CHAIRMAN Do you press
your amendment?

SHRI LAKHAN LAL KAPOOR I
seek leave of the House to withdraw
my amendment

The amendment was by leave with-
drawn.

MR CHAIRMAN The question is
"That clause 1, the Enacting
Formula and the Title stand part
of the Bill"

The motion was adopted

Clause 1, the Enacting Formula and
the Title were added to the Bill

SHRI L K ADVANI I beg to
move

"That the Bill be passed."

MR CHAIRMAN The question is

"That the Bill be passed"

The motion was adopted

5.45 hrs

STATEMENT RE ENQUIRIES
AGAINST 'AVARD' AND SOME
OTHER ORGANISATIONS

THE MINISTER OF HOME AF-
FAIRS (CHAUDHURI CHARAN
SINGH) Sir, on receipt of

certain complaints, enqui-
ries were initiated by the Income
Tax Department against the Associa-
tion of Voluntary Agencies for Rural
Development, the Gandhi Peace
Foundation and the Gandhian Insti-
tute of Studies, Varanasi. Pending
completion of these enquiries instruc-
tions were issued on 31st July, 1976
to all State Governments and Union
Territory Administrations as well as
all Ministries and Departments of the
Central Government prohibiting grant
of any financial assistance to these
organisations. Although the enqui-
ries have not yet been completed, we
have received interim reports from
the income tax authorities which seem
to indicate that appropriate action for
violations of income tax laws can be
taken under the relevant law and
there is no need to continue the res-
trictions on financial assistance im-
posed earlier. In view of this posi-
tion, the instructions issued in this
regard are being withdrawn and the
income tax authorities are being ad-
vised to take such action under law
as may be found necessary as a result
of their investigations.

I would add that the interim reports
that have been received by Govern-
ment so far indicate that there was
no diversion of funds for political
purposes.

PROF P G MAVALANKAR
(Gandhinagar) I suppose, Chaudhuri
Charan Singh, was replying to Shri
Jyotirmoy Bose's point raised earlier.

MR CHAIRMAN He is making
a *suo moto* statement. It is not in
reply to that.

15 47 hrs

**STATUTORY RESOLUTION RE
INCREASING THE EXPORT DUTY
ON COFFEE GROUNDNUT KER
NEL, GROJNDNUT IN SHELL AND
CARDAMOM**

**THE MINISTER OF FINANCE
AND REVENUE AND BANKING
(SHRI H M PATEL)** I beg to move
the following Resolution —

That in pursuance of sub section (2) of section 8 read with sub section (3) of section 7 of the Customs Tariff Act, 1975 (51 of 1975) this House approves the following Notifications of the Government of India in the Department of Revenue and Banking namely —

(a) No G S R 870(E) dated the 6th November 1976 increasing the export duty on coffee from Rs 300 per quintal to Rs 1300 per quintal

(b) No G S R 877(E) dated the 13th November 1976 increasing the export duty on groundnut kernel from Rs 800 per tonne to Rs 1500 per tonne and on groundnut in shell from Rs 800 per tonne to Rs 1125 per tonne and

(c) No G S R 13(E) dated the 12th January 1977 levying an export duty on cardamom at the rate of Rs 50 per kilo gram under the new Heading No 22 in the Second Schedule to the said Act,

from the date of each of the notifications aforesaid."

Following the steep increase in the international coffee prices in the latter half of 1975 the export duty on coffee had been increased from Rs 50 per quintal to Rs 300 per quintal on 12 February 1976. The current price of Uganda Robusta Coffee in the London market in February 1976 was around £ 850 per tonne. From April 1976 world coffee prices again began to increase rapidly. The shortage of stocks appeared also to

be compounded by the operation of speculative forces which resulted in the price increase. The price situation in regard to coffee was kept under watch. It could not however be said with reasonable certainty whether the increased prices would be sustained. After climbing to a level of nearly \$ 1 600 at the end of June 1975 there was a sharp break in the price in July when it again fell to £ 1 100. Thereafter the price once again increased. Taking note of the increase in world prices the export duty on coffee was raised on 6 November 1976 from Rs 300 per quintal to Rs 1300 per quintal under notification GSR No 870 (E).

Prior to 13 November 1976 there was an export duty of Rs 800 per tonne on groundnut kernel and Rs 600 per tonne on groundnut in shell. In November 1976 when an export duty of 50 000 tonnes was allowed by the Commerce Ministry the rate of export duty was reviewed. Prices of groundnut kernels in the domestic market then ranged between Rs 3000 and Rs 3500 per tonne depending upon the quality and the size. On the other hand the likely realisation from exports of HPS groundnut (kernels) was estimated to be over \$600 per tonne. Having regard to the level of internal and international prices of groundnut it was decided to increase the export duty on groundnut kernel from Rs 800 to Rs 1500 per tonne and on groundnut in shell from Rs 600 to Rs 1125.

Cardamom prices which were fairly steady in the international market till about August 1976 began to increase rapidly during the last quarter of the year. Alleppey green variety of cardamom was quoted in London market between £2 70 and 1b 3 per pound during the period March to August 1976. By December 1976 the price climbed up to £6 75 per pound. The question of a levy of export duty on cardamom was therefore, examined with reference to prevailing domestic and international prices and it was decided on 12 January 1977 to levy a duty of Rs 50

[Shri H. V. Patel]

per kg on cardamom under notification No GSR No 13(E). A low priced variety of cardamom known by the botanical name of *Amomum Subulatum* was however exempted from this levy.

Immediately after the notification levying export duty was issued, representations were received from the exporters of cardamom about their inability to bear this export duty. They represented that much of the last cardamom crop had been sold out to traders who in turn had entered into export contracts. They also represented that neither would their normal margin allow them to absorb this amount of export duty nor would they be able to pass on the duty to the foreign buyers as there were no alternative sources of supply. This resulted in the export trade virtually coming to a standstill and action had to be taken to ensure that the country's exports were not adversely affected. Further, it was necessary to safeguard the interests of the grower, whose crop had been affected by the poor monsoons by seeing that the balance of the crop still with him fetched a reasonable price. The export duty was accordingly reduced after careful consideration to Rs. 10 per kg with effect from 24 February 1977 by notification GSR No 84(E).

MR CHAIRMAN Resolution moved

"That in pursuance of sub section (2) of section 8, read with sub-section (3) of section 7 of the Customs Tariff Act 1975 (51 of 1975) this House approves the following Notification of the Government of India in the Department of Revenue and Banking namely —

- (a) No GSR 870 (E) dated the 6th November, 1976 increasing the export duty on coffee from Rs. 300 per quintal to Rs. 1,300 per quintal
- (b) No GSR 877(E), dated the 13th November, 1976 increasing the export duty on groundnut kernel from Rs.

300 per tonne to Rs. 1,300 per tonne and on groundnut in shell from Rs. 600 per tonne to Rs. 1,125 per tonne, and

- (c) No GSR 13(E), dated the 12 January, 1977, levying an export duty on cardamom at the rate of Rs. 50 per kilogram under the new Heading No. 22 in the Second Schedule to the said Act

from the date of each of the notifications aforesaid."

SHRI D. B. CHANDRE GOWDA (Chikamagalur) : I should like to draw the attention of the hon. Finance Minister to certain points arising out of the raise in export duty. The first announcement came on 10 February 1976 and the second announcement came on 6 November 1976. The point for consideration here is that both the export duties which have been raised were raised keeping in view the new budget proposal. Sir, that apart I would like to submit that this is a storm in the coffee cup which has a crippling effect on the coffee industry as a whole. The grower is the sufferer, not the exporter or the importing countries. We should look into the reasons why the international prices have gone up. There was a price rise in the international market. The reason for this price hike in the international market is that there was a frost in Brazil in July 1975, which destroyed about 70 per cent of the coffee crop. The civil war in Angola and the earthquake in Guatemala, floods in Columbia and Mexico and drought in South Africa are some of the major contributory factors for the decline in coffee production. Hence the international price of coffee went up. We took the best advantage of these prevailing situations outside the country and we could sell our coffee at higher prices. But the redeeming feature was when the coffee export duty was raised in February 1976 to Rs. 300 per quintal, at that time about 4765 tonnes of coffee was already in the

pipeline The duty which was raised in February 1976 did not cover the quantity of coffee which was already in the pipeline, neither the exporter nor the country which was importing coffee did accept to bear the increased export duty Then came the question as to what is to be done with this quantity of coffee which was already in the pipeline May I remind the House that inspite of these things the internal market price of coffee had been maintained for such a long time and it was one fourth of the price that was prevailing in the international market

Now, the question arises as to who should bear the increased export duty so far as the coffee in the pipeline is concerned When the export duty was increased, this point was not considered and the exporters were caught unware of this situation The matter came up before the Coffee Board for discussion and ultimately it was decided that about Rs 125 crores had to be borne by the exporters themselves Again when there was a second enhancement of the duty the matter again came up for discussion it was decided that this second enhanced duty was to be paid out of the Coffee Board's Pool Funds This fund was to be made available only to the growers But the difference of increase in the export duty for the coffee which was in the pipeline was also paid out of this Pool Funds Otherwise this fund would have gone to the coffee planters This means that the planters had to pay the enhanced export duty through their nose and not the exporters This decision was taken outside the purview of the Coffee Act The Pool Funds were made available to the planters to make good the rise in export duty I would like to know why there was a crippling effect on the coffee industry Neither the exporters nor the importing countries would bear this heavy burden of enhanced export duty, from Rs. 500 to Rs 3000 per quintal in other words it has gone up from Rs. 3000

to Rs 13 000 per tonne and therefore the exporter quotes less price in the auction He keeps in mind the increased export duty, when quoting the price in the auction

16 hrs

Whatever be the reasons the grower is hit Don't think of the few rich growers numbering 300 to 400 Remember that there are about 80 000 small growers in India Coffee is a hot foreign exchange earning commodity The reasons for enhancement of export duty are just a passing phase If you can abolish the export duty on tea and reduce the export duty on cardamom from Rs 50 to Rs. 10 per kg coffee has a better case for reduction of export duty I would beg of the Finance Minister to kindly reconsider this For the last so many years the internal consumption is at a standstill between 37000 to 39000 tonnes Coffee grown in India is not sufficient for our internal consumption Still to help the country earn foreign exchange we are exporting coffee and the performance has been quite good The coffee board is functioning just like a cooperative society It should be said to its credit that the coffee board has been working well for the last so many years. This duty coming like a bolt from the blue has hit the entire industry and I have no hesitation in saying that it will hamper the growth of coffee production in India I want to ask the Finance Minister, if the export market price comes down are you going to create any reserve fund to help the small growers at the time of crisis or will you leave them to themselves? In fact in February when the first rise in export duty came there was representation from all sides, particularly from the growers that this duty should be levied on an *ad valorem* basis This was also supported by the Chairman of the Coffee Board and by the Board itself Keeping in mind all these considerations, I request the Finance Minister to reconsider the increase of duty in one jump from Rs 3000 to Rs 13 000 per tonne,

[Shri Chandre Gowda]

which will have a crippling effect on the industry. He should kindly consider reducing the rate and also give some assistance to make good the losses which the coffee board has suffered so far as the coffee in the pipeline is concerned which has been agreed to be exported and which the coffee board has to make good from the pool payments. This loss should be made good by the Government of India. In the interest of boosting up the export I request the Minister to see that some bargain is struck. If the duty is to be raised, it should be raised periodically so that the production of coffee is not hampered and the image we have built up in the export markets is not tarnished.

SHRI A C GEORGE (Mukandapuram) Sir this Resolution which the hon. Finance Minister is placing before the House will have far reaching effects on the farmers. I am sure Mr. Patel may have the temptation in his reply to take the plea that these notifications were issued much before he came into the Government. So I humbly seek of him to review the situation so that a healthy agricultural set up is ensured in the southern States of India.

As my good friend Mr. Chandre Gowda has pointed out Tamil Nadu, Karnataka and Kerala are the three States which contribute almost hundred per cent of the coffee and cardamom. Of late there has been some attempt by Sikkim for cardamom. The whole logic behind this decision at one time I am sure and I have no hesitation to reassure you was in the context of certain transient and passing phases. In 1971-73 the coffee crop was around 100 thousand tonnes and we had great difficulty in finding the export markets at that time. We had to make great efforts then and we were able to export 23 thousand tonnes of coffee and our realisation was less than Rs 18 crores. But in a period of four or five years with the enormous efforts made both by the Coffee Board as well as by

the Commerce Ministry we were able to push up the market for Indian coffee in 1975-76. If I remember aright the realisation was nearly 65 crores and our export was to the tune of 60 thousand tonnes. We are just now able to establish the foothold for Indian coffee. Brazil is the most important producer of coffee. They had a frost and their crop was almost destroyed. Actually if you go into the statistics you will find that Indian crop is only 10 per cent of what is produced in Brazil. Just because the Brazilian crop is affected even to some extent which is a huge quantity, perhaps it may look as if Indian coffee is getting higher return. It is just getting out of frost which is a natural phenomenon. If you base our financial policy on certain passing phases it will have disastrous effect on the farming community. From 3000 to 13 000 per tonne is a very drastic increase and it will have a crippling effect.

There is a notion prevailing among many of our friends that coffee is a planters' item. It is not so. It is a farmers' item. There are 280 big planters in this country and 65 per cent of the coffee is produced by more than 65 000 small holders and so let us not be under any illusion that this duty will be passed on to the exporters. It will come straight on the head of the coffee farmers. I would request the hon. Finance Minister to review the whole position so that a market which we have built up with great effort is not lost. In 1970-71 we had a great glut but today our coffee is pushed up and has established a foothold in the international market.

Coming to cardamom, there is also a very interesting situation. In coffee 70 per cent of the production is in Karnataka, 20 per cent in Kerala and 10 per cent in Tamil Nadu. In the case of cardamom 70 per cent of the crop is in Kerala, 20 per cent in Karnataka and 10 per cent again in Tamil Nadu. So this is a crop which is somehow or the other shared between

the 3 Southern States. It was only in 1972 that there was a general clamour from the farmers to have a support price for cardamom. It is only recently that because of the 'karte' disease about which the Cardamom Board is trying its level best to find a solution the crop has come down. What used to be a crop of 3600 tonnes per year exporting to the tune of 2500 or 2600 tonnes has come down to 2000 tonnes. In regard to these two items if you try to take advantage of the temporary phenomenon it will not be in the interest of the country. We are really killing the goose which is laying the golden egg. I would request the Finance Minister to take a whole view of the situation and not to take the plea that it was not he who ordered this

It may look very innocuous if when you say that it is Rs 50 per kg. I was really confused when I read these 3 notifications. In one case it is per quintal in the other it was per tonne and when you came to cardamom you put it in kilograms. Rs. 50 per kg came to Rs 50,000 per tonne. In these 3 notifications, there is confusion about the various gradations. Rs. 50,000 per tonne is absolutely unbearable. If the Finance Minister goes into the mechanism of cardamom selling he will find that there is a traditional and peculiar system prevailing in it. Even when the crop passes from the hands of the farmer he does not realize it. Only when the exporter gets the money after the L.C. does the buyer pay him. Ultimately the farmer gets the money. Till then he is in a market limbo where nobody wants and nobody works. I request that the whole position may be reviewed. As the Finance Minister pointed out there were so many representations about both coffee and cardamom. If I remember correct at one time there was a feeling in the Finance Ministry that this was a bit too much and that

amelioratory measures have to be taken. The Finance Minister mentioned something about Rs 10 per kg and also about the quantity which was in the pipeline. In the whole international market situation these two items viz coffee and cardamom are basically small producers' items. I would request the Finance Minister to review the whole situation and see that the farmers are benefitted and that the international market is not spoiled.

*SHRI DHARMASINH BHAI PATEL (Porbandar) Mr Chairman Sir the hon Finance Minister Shri Patel, has selected three items (1) Coffee (2) Groundnut and (3) Cardamom. So far as Coffee and Cardamom are concerned, Hon ble Members have already spoken earlier and as such I am not going to take any more time of the House. I have to say about the export of groundnut only.

Sir our country is a country of Bharat is primarily an agriculture-based country and 50 per cent share of the national income is derived from agriculture and the rest 50 per cent share from other commodities. It is the policy of our new Government that the agricultural produce should be increased and more and more commodities should be exported. So far as Coffee and Cardamom are concerned, two members have already spoken earlier and as such, I shall not discuss about them.

MR. CHAIRMAN The difficulty is that there is no arrangement for translating speeches in Gujarati here. We will get the translation afterwards. The difficulty is that at present there is no arrangement.

SHRI VAYALAR RAVI I believe that any Member can speak in his mother tongue. But he should inform the Secretariat one hour earlier. They can arrange it.

SHRI DHARAMSINGH BHAT PATEL and so I shall speak about groundnut only. Sir, about 45 lakh tonnes of groundnut is produced in our country. Out of this 45 tonnes, one-third share, that is 15 lakh tonnes of groundnut, is produced by only one of the regions of Gujarat. It is, therefore, essential that the produce of groundnut is increased and then the surplus stock should be exported. Now the duty of Rs 800/- has been raised to Rs 1500/- and thus the increase in duty is raised by Rs 700/- per tonne. Thus it is doubled straightaway. So far as groundnut without husk is concerned the duty of Rs 600/- has been raised to Rs 1125/- Thus the duty is doubled. This is not proper. Sir, after thirty years of independence the quantity of one lakh tonnes of gram is exported and 50 000 tonnes of groundnut with husk is being exported nowadays after a lapse of 30 years period by the former Government.

Sir it is the assumption of the Government that whatever prices a commodity fetches they go to the benefit of the producer or cultivator. This assumption of the Government is incorrect. This policy of Government is wrong. For any commodity produced in the country and exported at higher prices the producer or cultivator would get the higher price—this policy of Government is quite wrong and incorrect. I shall request the hon. Finance Minister that the dates fixed i.e. 6-1-76 for coffee 13-1-76 for groundnut and 12-1-76 for cardamom and the duty that has been decided to be imposed need sanction. The sanction may be given in future only after reducing the duty on the three items that is coffee, groundnut and cardamom, which has been increased. The cultivators have no big industry in this country. They are producing these commodities by applying costly fertilisers, costly irrigation and through hard labour. Some quantity is exported by the cooperative societies, some quantity by the merchants and

some by the cultivators and producers themselves directly. I, therefore, urge the hon. Finance Minister not to raise the duty which has been proposed to be raised.

SHRI C. M. STEPHEN (Idukki) My hon friend, Mr George, has dealt with this question very effectively. I want to put in a few words because 70 per cent of the Indian production of cardamom is in my constituency of Idukki. I know the difficulties and the financial constraints under which the cardamom grower is today working.

Mr George has narrated the history of the ups and downs in the prices of cardamom. In 1972 there had to be a floor price which indicates that the prices were very low. Subsequently there have been ups and downs. Now they have imposed a duty which, as he pointed out cumulatively comes to Rs 50 000 per tonne. Even after the reduction it comes to Rs 10 160 or so per tonne. That is the present position.

You will realise next year that the production has absolutely crashed. Because of climatic conditions and pests the production has completely crashed. In order to improve production, the farmer is putting in a lot of inputs the price of which is rather high. Time was when cardamom was just a forest growth. That is not the position now. Today the plant has got to be meticulously taken care of. This is a time when the farmer has to take care of every plant meticulously and money has got to be pumped to sustain the production of these plants. If you impose custom duty merely because there is a spurt in the prices it is rather too unkind. It is due to shortsightedness.

One can understand if you are imposing a sort of ad valorem duty. Whether that should be imposed on foreign exchange earning commodity is a different matter altogether. But merely because there is some spurt in prices you want to collect money and are jumping over the farmer who

*The original speech was delivered

is completely helpless. This is absolutely a cruel approach. The Government of India can afford to forego Rs 10 000 per tonne. Now, there is a spurt in prices because of the fall in production. The fall in the production has increased because of increase in the cost of inputs and all that. What is the additional care a farmer is taking of about it? What is the net amount that is being collected? That should be the criterion.

If somebody goes into it, he will find that the farmer today is in the red, he is not on the profit side because of the fall in production, because of the increase in the cost of production. The Government of India took a view about bringing down the custom duty from Rs 50 to Rs 10. They gave an explanation, a valid explanation that it became necessary because of the accumulation of stock, because of the non-lifting of the stock and so on. Therefore, that became necessary. I suppose, the position today is that the duty is Rs 10 and not Rs 50. Suppose this Statutory Resolution is here purely because whatever duty has to be imposed, it has to come before Parliament and therefore it has come. But I suppose this takes effect as on that date. What is now in force is I suppose, Rs 10 per quintal. If on the other hand Rs 50 per quintal is to be the duty, it will be outrageous, completely devastating, dangerous and what not. Even that Rs 10 per quintal is quite unbearable.

Anyway, I must congratulate the officers who have framed this Notification. In the light of what Mr George has said, in respect of one commodity, you speak quintal in respect of other commodity you speak about kilogram in respect of another commodity, you speak about some other measurement and so on. These different units of measurement give a misleading sense of the burden of the tax. I would plead with my friend Mr Patel to have a second look at the whole thing

and accept the principle of not rushing into collecting a little money when there is an occasional spurt in the prices. Let us not jump over it, let us not jump over the farmer, let him bring more and more price so that foreign exchange may be increased more and more.

If you do not encourage these small farmers, then how can they prosper? There are about 25 000 small farmers in number. There are no big planters except one or two. They have got only 3-4 hundred acres. That is what has come to be known as big planters. All the other fellows are having 2-3 acres. It is on these people that the burden will come. Let us have a generous look at it.

SHRI C. K. CHANDRAPPA
(Cannanore) Mr Chairman Sir, I share the views expressed by my hon. friends here by bringing forward certain points to the hon. Minister for his kind consideration.

My feeling is that the Government is trying to take advantage of the coffee crisis all over the world. This crisis will not last long. The crisis as has been pointed out by my hon. friend Chandre Gowda is due to certain temporary factors. There was a severe frost in Brazil. The coffee production fell 70 per cent and in terms of quantity. It was a fall to the tune of 7 million bags of coffee. Then, there was a civil war in Angola. It is over now. I think, they will produce more coffee in future. Further, there was flood and drought in certain Latin American countries. All these are certain temporary phenomena which these countries would overcome very soon. All this created a condition of crisis in the world market of coffee. Today the coffee price has therefore gone very high and the Government's only argument which the hon. Minister has put forward is that the exporters are earning more than what they used to earn and that, naturally, a share of it should come to the Government.

[Shri C. K. Chandrappan]

Nobody will object to that. Normally, if there is a windfall of profits to the exporters of coffee, it is very legitimate and we would support the plea that a major share of it should come to the Government. But if you take the official view of it, it is not so. Even the Coffee Board says that it is true that most of the growers are small growers. They say that the growers may get a return higher than the cost of production but not appreciably higher. I am quoting from the Coffee Board records from the speech of its Chairman. What does it say? It says that they are getting slightly more than the cost of production. It is not appreciably more. So, the profit is made elsewhere. Utilising the crisis in the coffee market the profit is made by exporters and that too for the time being. I think, on that basis, the Government should not base its policy

In one of the coffee producing countries in Columbia, the Chairman of the Coffee Producers' Federation says that he was sure that the shortage of coffee is temporary. Therefore, the Government should not base their policy on these temporary factors. I would, therefore, appeal to the hon. Minister to reconsider the question of imposing additional excise duty.

Another thing that I would like to bring to the attention of the hon. Minister is that in our country too the production is falling. I do not know whether this has come to the notice of the Government. In Wynad itself, in my constituency in north Malabar, there are 10,000 acres of coffee plantation which is affected by mealy bug which is described in the *Economic Times* as a deadly parasite. This has brought down the production of coffee in Wynad. In Kerala, Wynad is a centre where a large number of small growers are contributing largely to the coffers of this country by producing coffee. About 2,000 to 3,000 tonnes of coffee is the annual production loss there today and, in

terms of money, the loss of foreign exchange earnings, it will come to about Rs 4 crores per year. That is how the internal production has come down. The hon. Minister should also know the magnitude of the fall in production. There used to be the production of 50 to 60 tonnes of coffee in a plantation of one hundred acres. Today, the production has come down to 10 to 15 tonnes. That is the magnitude of the problem resulting from this parasite infection. So, taking this opportunity, I would like to make an appeal to the Government to take certain steps. Firstly, for giving loans and other assistance to the planters, who are largely small planters to replant their plantations. Secondly, for sending a team of the ICAR to study and propose measures by which they can overcome this crisis. Lastly, for setting up a coffee research centre at Wynad so that a long-term solution can be found for this problem. I am suggesting this because you are now going to tax heavily and get a lot of money. A share of this should go to the producer, the small farmer.

So my first appeal would be don't base your policy on a temporary phenomenon and increase the export duty. The Minister may kindly consider this. Secondly from the amount of duty which you will be getting, a share should go to the small grower so that the country will benefit ultimately because the production of coffee will go up. I hope the hon. Minister will consider this favourably. With this appeal I conclude.

SHRI VAYALAR RAVI (Chirayinkeil) This Resolution which is before the House is a decision taken by the previous Government. I am grateful to the Hon. Minister that when we met him last time to represent the grievances of the growers due to the duty imposed on them, he assured us that he would look into it.

My view is that what is harmful to the interests of the growers is

harmful to the interests of the country also as it would ultimately affect the foreign exchange position. I would like to make a suggestion that before taking decisions for imposing duties on such items, you may please consider the views of the Statutory Boards constituted by the Government itself. There is the Coffee Board and the Cardamom Board etc. Your own Government nominees are Chairmen of these Boards and the majority of the Members are also Government officials. So they can represent the views of the Government on these Boards which will make their recommendations. They can at least express their views on the views of the Ministry. I wish that hereafter you would take into account the views of the respective Boards—Coffee, Cardamom, Coir or whatever it may be.

Now, I am not going into the statistics as it has been quoted here already. But I would say that the present situation is due to natural calamities. The condition of the Arabian market, the civil war in Angola etc were responsible for this rise in the international market. This is not a permanent phenomenon at all. Even Brazil, which is the largest coffee growing country in the world, has contributed very little to the world pool and ultimately the prices went up.

We earned good foreign exchange to the tune of Rs 65 crores year before last and now we are expecting to get Rs 100 crores this year. But this will really affect whom? It is not the exporters who will be affected. The Coffee Board has its own system of pooling and auctioning. Even in exports the Government Board has done good work in the last two years. It has entered into a contract with socialist countries and has captured a market.

Now, there is the Pool Fund which if I am not wrong, is to the tune of Rs 12.5 million. We have to pay this duty from the Pool Fund, which will affect about 86000 farmers. So, the

deficit is sought to be made up with the little money that the poor farmers are getting. I request the hon Minister to take into account these facts and also the difficulties faced by the small growers and to see that this is withdrawn as early as possible. Hereafter the opinion of the Board should be taken into account.

Lastly so far as cardamom is concerned, at present it has been reduced to Rs 10. It is a problem concerning the States of Kerala, Karnataka and also Tamil Nadu. I hope, the hon Minister will stick to Rs 10 and will not increase it further. It is because of the efficient work done by the Cardamom Board that this position has come. I should give a word of praise to the Cardamom Board for the good work done by them.

Once again I would appeal to the hon Minister to take into account the fact that, when we increase the price in the international market our product may not be competitive in the international market and ultimately we may lose foreign exchange because the entire product may come back to the internal market. Especially in the United States, the biggest coffee-consuming country, there is a propaganda that coffee is a luxury item.

I hope and believe that the hon. Minister, being a practical man, will take all these facts into account and help the poor farmers of this country.

श्री नाथूराम मिश्रा (नागौर) समाप्त
जी, माननीय मंत्री जी स्वयंराज्यवार हैं और
उसकी बात जानते हैं। जिन नोटिफिकेशन का
हमने रेडिफाई करना है इस में भूगर्भी, भूग-
र्भी के बारे, काफी, इलायची के जितने तरह रेट
बढ़ाये हैं वह सार्ट र्म्स रेंज में रखा गया है,
और जमीन दृष्टि से उन चीजों की फौरन
एम्प्लॉयमेंट में क्या कंसेंटिटी है और उसमें
से कितना रकम काश्तकार को मिलना
चाहिए, काश्तकार को पैदा करने में कितनी
सक्तीय हो रही है इन कम्प्लेक्सिटीयों को कितनी
बीमारियों का शत्रु हो रहा है और बाक-

१. विशेष बर्गीय उन्नत रहे हैं और इत्यादि
की बातें वा इस देश में वास्तव में और इस
उपर क्या टैक्स है और किस तरह से शुद्धी
करना है इन गरीबों की बातें गहराई
से समझना पड़ेगा। राष्ट्रीय हित धारण
न समझें। सामान कुछ गुणवत्ता रख रहा
है। रिपोर्ट्स में। हित धारण
का विचार है इन के उत्पादन में बाधा
है और बाधा निवृत्ति का जो कि एक्स्पर्ट
करती है सामान में इन बातों का बर्दास्त
नहीं है और एक्स्पर्ट रिपोर्ट में लिखा है।
नीचा यह होता है कि समस्त दुष्टि से इस
प्रांत का उत्पादन बढ़ा कर जो बिना मुद्रा
बर्दास्त करने से वह हमारी क्षमता पूरी नहीं
हो पाता है। इसलिए इस बातों का ध्यान
में रख कर मैं आप से कहता चाहता हूँ कि
जिन तरीकों में यह नीतिनिर्माण मान न
निष्पत्ति प्राप्त हो सके तो तीव्र हो सकता है
पर इसकी स्वीकार्यता से राष्ट्रीय हित धारण
इस का बाजार का मिलने वाली क्षमता
पर बढ़ता है और बाजार मापन में जाता
है जहाँ का उत्पादन नहीं बढ़ता है वह क्षमता
का उपयोग नहीं कर पाता क्योंकि उन्नत
जान हैं। जो कुछ पीछे हुआ उस का साथ
रखाई करना। पर ध्यान है नीचा
पर एक्स्पर्ट स्वीटी जैसे सगे दूसरे कर बिना
प्रकार में इन गरीबों का पर गहराई में
मध्यस्थ करे। राष्ट्रीय हित धारण न जो
रिपोर्ट दी है उस पर बिना और हित धारण
कर कर में मध्यस्थ में निपटैसता करे
नामिद देश का उत्पादन भी बढ़े बाजार का
वाणिज्य हितों भी मिले और देश का जल
एक्स्पर्ट उसी तरह से बर्दास्त। मेरा
इस वक्त आपसे यही मुताब है।

16 38 hrs

[MR. SPEAKER in the Chair]

SHRI M. RAM GOPAL REDDY
(Nizamabad) Mr Speaker Sir
India is not the only country which
is exporting coffee. It is a competi-
tive market where we have to stand
in competition with other countries

If our coffee becomes costlier nobody
is going to purchase that. Naturally
to make it competitive we have to
reduce the coffee price that is going
to be paid to the farmers and when
the farmers would get less they
will produce less. I want to give
two examples of sugar and co-
ten. The production of sugar was
40 lakh tonnes and when the prices
were withstanding and the taxes
were raised immediately it went
down to 25 lakh tonnes. It went up
again to 45 lakh tonnes when the in-
centives were given. In the case
of coffee the production went up in
one year and then in the next year
there was a terrible shortage. I do
not want the Hon. Minister
should create conditions which would
lead to shortage of coffee. When the
production of coffee goes down it is
impossible to raise it immediately
next year as we have done in the case
of cotton and sugar. I would, there-
fore request him to see that this duty
is immediately withdrawn so that
we may have competitive position in
the international market and may be
able to export coffee. Once the mar-
ket is lost in the international field it
is very difficult to regain that
market. We should keep that in mind
always. I would request him to with-
draw these suggestions immediately.
There is no shortage of money. The
previous Government has given you
Rs. 3,000 crores of foreign exchange.
You should not bother for this small
money. I would request him to ac-
cede to my suggestions in order
to maintain our exports of coffee to
the extent of Rs. 50 crores per year
as at present.

SHRI J. L. M. PATIL: Mr Speaker
Sir I am afraid, the last speaker has
not understood the point. This duty
is being levied only because the prices
in the market abroad went up. We
wanted to take advantage of that.
When the prices go up in the inter-
national market, the benefit certainly
goes to somebody and the Govern-
ment's intention is that when such a
windfall benefit occurs, they should
have a share in it. That is the theory
in this.

SHRI K. P. UNNIKRISHNAN (Badagara) You have already done that once

SHRI H. M. PATEL There is no danger of the exports being affected adversely

So far as Shri Mirdhas point is concerned, I fully agree with him that whatever recommendations the National Agricultural Commission has made we should study them and take them into account in future. But I hope that it is not the intention of any hon. Member to suggest that when such a windfall profits occur, Government should not have a share in them. You may say that the sharing should be fair. Therefore, once that principle is accepted, I am quite agreeable to examining every proposition whether in imposing a particular rate of duty, we are reasonable or not.

So far as the subject under discussion is concerned, these duties were imposed in November, 1976—some of them—and one in January, 1977, and there was justification for that.

I would also answer Shri Chandrapan's point that we should not do this when the fluctuation of price is for a short period. So far as coffee is concerned, the disaster that occurred in Brazil is something that is going to endure for more than one year, may be two or three years. Why should we not take advantage of that? It is not going to affect the producer adversely.

SHRI D. B. CHANDRE GOWDA
It does, as I made out

SHRI H. M. PATEL The total production that has been recorded with us indicates that the production of coffee has not gone down, it is going up. But I am not entering into argument. I wish merely to point out that the theory underlying the imposition of duties of this nature again

is variable. The moment it is found that the duty is excessive and it may affect the exports, it may immediately be reduced or removed.

In the case of cardamom, for instance, when the imposition of duty was Rs. 50 whatever the argument that influenced the decision then, there were no exports under Rs. 50 and the exports began only when the duty was reduced to Rs. 10 which shows that the subsequent decision of reducing the duty was right.

Now, so far as the question of farmers and others being adversely affected is concerned, I can assure you that nothing can be farther from the truth because this is a decision of the previous government and I imagine they also proceeded on the same basis and had no intention that small farmers should be adversely affected, nor is it going to be mine and I think we will certainly take into consideration whatever suggestions that have been made by various speakers in regulating this duty in future, but duty will be levied when circumstances warranted it and I hope the House will not grudge it because after all many things have to be met and the money has to come into the Exchequer. So far as groundnut is concerned I am afraid again the price rise has been quite considerable. In coffee for instance when the duty was raised from Rs. 50 to Rs. 300, the London price was Rs. 878. It is now Rs. 4015 and when it was raised to Rs. 300, it was Rs. 2600. So you will see that it is not the coffee grower who is going to suffer. Nobody is going to suffer but the government is wanting a certain share in the windfall profits that come.

SHRI D. B. CHANDRE GOWDA—
One point. What happens to the coffee deals which are already in the pipe line? There may be many deals struck by Indian exporters. What happens to that?

SHRI H. M. PATEL Some people may get the benefit and some people

[Shri H. M. Patel]

may not get it but they may get it at a later stage

When it is reduced somebody is going to get. I do not think those are considerations which should influence the general decision

SHRI D. B. CHANDRE GOWDA
Crores of rupees will be lost. I want your indulgence for a minute

SHRI H. M. PATIL I am not yielding. Crores of rupees go to whom? It is not a loss to this country. (Interruption) I am yet to complete my reply. If the hon. member is anxious I shall certainly give full consideration to the point that he has made when imposing or reducing duties in future, but there is no use starting an argument here. If you wish, I shall try to satisfy you later but this is not the point. Here we consider only what the principle underlying imposition of this duty should be.

I think, Mr. Speaker, I have answered most of the points and I may assure the hon. Members that I shall take into account whatever they have said.

SHRI C. M. STEPHEN I have sought a clarification, whether the passing of this resolution will have the effect of superseding a subsequent notification reducing the cardamom duty from Rs. 50 to Rs. 10.

SHRI H. M. PATEL The duties become effective from the date when they are notified because the requirement under the Rules and the Act is that when the House is not in session and a notification is issued, then I must immediately place before the House the notification that is issued, within 15 days of the commencement of the session. It is in that context that it is done. But the notification becomes effective from the date when it is notified. The subsequent reduction in duty also becomes effective from that date and it will come in due course before Parliament.

SHRI D. B. CHANDRE GOWDA
My only point is that if the export duties are raised not in the Budget time but after the Budget or before the Budget, what happens? So far as the exporting countries are concerned the bargains are struck at the rates that prevailed at the time of the Budget. But in between the time of the agreement and the time coffee is received in the importing countries in that time gap there will be some coffee in the pipeline. The exporter says it should not be met by him because he will not be able to visualise what would be the attitude of the Government. This time the excise duty on coffee which was in the pipeline was met out of the pool fund which ought to have gone to the grower himself. Is the grower responsible for this?

I would request that at least this particular point may be considered.

SHRI H. M. PATEL I will consider it although the answer is very clear and we will discuss it with you, if necessary.

SHRI A. C. GEORGE (Mukandapuram) I am submitting that the hon. Minister may have a closer look in so far as coffee and cardamom are concerned. It is the exporter who is suffering. The farmer will realise the money because of peculiar auction of cardamom as well as coffee.

SHRI H. M. PATEL Shri George should really be much more fully acquainted with this subject than perhaps I am. Merely because he is sitting on the opposite side of the House he must say something. I can assure him that in the imposition of the duty of this nature we do take into consideration who benefits and we want to deprive that person because it is a windfall. The State exchequer has a share in it. It is the most important point. The word is 'share'. We are not taking the whole of it.

MR. SPEAKER: The question is:

"That in pursuance of sub-section (2) of section 8, read with sub-section (3) of section 7 of the Customs Tariff Act, 1975 (51 of 1975), this House approves the following Notifications of the Government of India in the Department of Revenue and Banking, namely—

(a) No. G.S.R. 870(E), dated the 6th November, 1976, increasing the export duty on coffee from Rs. 300 per quintal to Rs 1300 per quintal,

(b) No. G.S.R. 877(E), dated the 13th November, 1976, increasing the export duty on groundnut kernel from Rs. 800 per tonne to Rs. 1500 per tonne and on groundnut in shell from Rs. 600 per tonne to Rs 1125 per tonne, and

(c) No. G.S.R. 13(E), dated the 12th January, 1977, levying an export duty on eardamom at the rate of Rs. 50 per kilogram under the new Heading No. 22 in the Second Schedule to the said Act,

from the date of each of the notifications aforesaid."

The motion was adopted.

16.53 hrs.

MESSAGE FROM THE VICE-PRESIDENT ACTING AS PRESIDENT

MR. SPEAKER: I have to inform the House that I have received the following message dated the 6th April, 1977 from the Vice-President acting as President:

"I have received with great satisfaction the expression of thanks by the Members of the Lok Sabha for the Address which I delivered to both Houses of Parliament assembled together on the 28th March, 1977."

16.53½ hrs.

GOVERNMENT OF UNION TERRITORIES (AMENDMENT) BILL

गृह मंत्री (चौधरी चरण सिंह) :
अध्यक्ष महोदय, मैं प्रस्ताव करता हूँ :

"कि सच राज्यक्षेत्र शासन अधिनियम, 1963 का धीरे सशोधन करने वाले विधेयक पर विचार किया जाए।"

जैसा हम सबको ही मालूम है कांस्टीट्यूशन में यह सशोधन कर दिया गया है कि देश के मन्दिर जितनी विधान सभाएँ हैं उनकी अवधि 5 वर्ष के बजाय 6 वर्ष होगी। तो गवर्नमेंट भ्रातृ इंडिया जो भव से पहले देश के चार्ज में थी उसका विचार यह था कि यूनिन टेरिटरीज की विधान सभाओं की मुद्दत भी पांच साल के बजाये 6 साल कर दी जाए। लेकिन क्यों कि लोक सभा डिवाल्व की जा चुकी थी और राज्य सभा सेशन में नहीं थी, उस का इजलास चल नहीं रहा था तो उन्होंने एक प्रॉडिंस के जरिए पांच की जगह 6 साल यूनिन टेरिटरीज की विधान सभाओं की मुद्दत कर दी। लेकिन हम लोग प्रॉडिंस की मुद्दत 6 साल की जगह 5 साल कर दिया था प्रॉडिंस के जरिए 5 साल की जगह 6 साल कर दिया था भव हम उसको 5 साल 7 महीने करना चाहते हैं। गोवा, डामन, द्यू और मिजोरम—यह यूनिन टेरिटरीज कहलाती हैं। पहले हमारा विचार था कि गोवा, डामन, द्यू में केवल 4 महीने की मुद्दत बढ़ाई जाये। 23 मार्च को मुद्दत उत्पन्न होती थी और 23 जुलाई तक एलैक्शन कराने का विचार था लेकिन मुद्दत की मालूम हुआ है कि वहाँ भी जून के आरम्भ में क्या आरम्भ हो जाती है जिसका मतलब यह है कि मई के बाद एलैक्शन कराने में कठिनाई होगी। इसलिए

[चौथरी चरण सिंह]

अब हमारा विचार है कि जैस मिनीरम म 5 साल 7 महाने कर रह है उसी तरह गोवा डामन ड्यू म मा 5 साल 4 महीन बच जाए 5 साल 7 महीन की मुरत कर दी जाए । जसा कि सदन म लिन पा है उसम पुस्त 5 साल 4 महीन है लकिन में चाहता हू 4 की जगह 7 पडा जाए । इस माग्य का एक पक्ष में आपका पाम भज रहा है । गवर्नमेन्ट की तरफ से इसको 5 साल 7 महान भयपा जाए । इसका अर्थ यह हुआ कि गोवा डामन ड्यू श्री निजारम—इन सब टरिरीयों म मुरत 5 साल 7 महीन होवी । बहा प- बर्पा फलत क बाद अक्टूबर नवम्बर म एलबशन काये जा सकेंगे । में समझता हू यह बहुत सीधा मादा मामला है कोई कन्फ्लिक्शन चीज नहीं है सदन इसको मजर करेगा ।

MR SPEAKER Motion moved

"That the Bill further to amend the Government of Union Territories Act 1963 be taken into consideration."

DR HENRY AUSTIN (Ernakulam) The Home Minister has brought forward a Bill which per se discriminates between State and Union Territory. As is well known the Union Territories are clamouring and trying to come on par with the rest of the States in the country. It has been the practice of the Government of India consistently to bring the Union Territories also to the level of the rest of the States. It is a matter of surprise that the Home Minister is bringing in a Bill where it is said, for Goa it is 4 months for Mizoram 6 months, etc. It does not fit in with the general ethos of the country and the legislation on the subject. I am not taking a part suo view. The rationale behind the proposal of increasing the term of State Legislatures and Lok Sabha to 6 years has been discussed at length and there was a national dialogue. If you see the debate of those days you will see how the national dailies took a lively interest in this issue which evinced

considerable interest. Legal pandits and constitutional experts have given out their views. Whereas Rajya Sabha has six years as their normal tenure why should Lok Sabha which according to our Constitution wield more power and authority should have a lesser period? That was the lacuna. And our framers of the Constitution at that time had a different concept. But after 25 years of the working of our Constitution the public opinion felt differently or if you deny that public opinion was not total in proof of the move at least concede that a sizeable section of the public opinion favoured this change and in the Lok Sabha itself I do not think that many members even in the opposition, objected to this on principle.

17 hrs

So this matter was discussed threadbare and I do not want to view the problem as purely partisan, I would request all the hon. Members to consider this aspect objectively on merits. Why should hon. Members on this side of the House have to go through the elections earlier? How hard it is to face the electorate running to ten lakhs of people every five years? It is even degrading to have the Lok Sabha's tenure a little less. (Interruptions) This was the aspect which was felt at that time. If you so please you may bring a bill. In that context if you read the proceedings at that time the situation or practice obtaining in different countries in different Parliaments, you will find that in certain countries they have a seven year term and certain others had even more tenure. So it was not that only India was having this tenure. Many countries have different tenures for the legislatures as their lifespan. These were the considerations which prevailed at that time in making this suggestion. Later on it was brought forth in the form of a Bill before the House. But it was unfortunate that the Fifth Lok Sabha had to be dissolved and the same Bill could not be introduced in relation to the union territories. And,

today, instead of bringing in regular bills, to normalise the situation, it is surprising that the hon Minister with considerable experience in all this, is bringing in this Bill for the Union Territories. Probably, it is due to climatic reason I am afraid there may be a political overtone in the sense that you are thinking of elections rather than to normalise the situation. Probably, the prospects of elections seem to be main guiding factor in determining this thing. This is repugnant to the Constitution and the people who had evinced some interest in this matter I do not think that the people coming from Delhi will approve of this. I had exchanged views with members coming from Delhi. They were asking for enhancement of the status of the Union Territory of Delhi and to make it a regular State. You are trying to perpetuate this thing and giving an inferior status to the Union Territory. I do not think the people of Delhi will take kindly to that suggestion. Therefore I do oppose this move and I do believe that it is incumbent on the present Government to bring in a bill later on. And it may be revised—that is a different matter, to a six year term for the Union Territories also.

MR. SPEAKER. Government has an amendment. But that has not been circulated. I would request the hon Home Minister to read it out so that the Members may know that the amendment has been given notice of. It has not been circulated.

CHAUDHURI CHARAN SINGH
My amendment reads as follows

Pages 1 and 2,

for lines 8 to 15 and line 1 and 2 respectively

Substitute—

‘Provided further that the provisions of this section shall in relation to the Legislative Assemblies of the Union Territories of Goa, Daman and Diu and Mizoram in existence on

the 7th day of February 1977, apply as if for the words ‘five years’, in the two places where they occur, the words ‘five years and seven months had been substituted.’ (3)

MR. SPEAKER. In view of this I do not think the hon Member Shri Amrut Kasar need move his amendment. He can speak on that.

SHRI AMRUT KASAR (Panaji)
Mr Speaker, Sir, first of all I thank you for giving me this opportunity of expressing my views before this House. Since this is my maiden speech, let me, in the first instance make it clear that I support this Bill. The policy of the Janata Government is to have a tenure of the Assemblies and the Lok Sabha for five years instead of six years. As I have promised to my voters I shall be supporting the Janata Government in amending the Constitution and the Forty-second Amendment I support this policy of the Government to have the tenure of five years both for Lok Sabha as well as for Assemblies.

As regards my amendment previously it was for five year and four months but since the hon Home Minister has already cleared that in both the cases it will be five years and seven months I do not think that I need to stress that point.

Therefore I am withdrawing it. The Home Minister has promised that in both the cases it will be five years and seven months. Now, I wanted it to be actually seven months because whenever legislation is passed we must take into consideration the geographical situation of that place. Monsoons are fast approaching. Many of the hon Members here know that Goa is situated at the feet of western ghats. The rainfall there is more than 120 inches on an average. This heavy rainfall cuts the communication with the villages. Although the communication facilities are good in Panaji—capital of Goa—yet in the surrounding talukas like Parnem and

[Shri Anant Kasar]

Satara the communications are cut. The voters are more in number in these talukas and therefore it will affect them. Therefore I happily accept this move of the Home Minister that it will be seven months so that immediately after the monsoons we are ready to take up elections and as in the manifesto of the Janata Party the aims and purposes of the Bill will be fulfilled.

Mr Speaker Sir at the same time I extend my cooperation to the Janata Party in its policy for decentralisation of power and I would like to say due to the acceptance of the principle of decentralisation of power in the status of Union Territory will be lifted up and it will be granted Statehood I extend my full cooperation to the party and all the kindness which our Home Minister has shown to us.

SHRI EDUARDO FALEIRO (Mormugao) Mr Speaker Sir it would be in the interest of the Congress party to have elections forthwith in Goa because just now in Goa we have a non-Congress government. It will be in the interest of my party to have elections forthwith in Goa but inspite of that we are opposing this Bill on the general principle and not limiting ourselves to petty considerations. Though it will be in the interest of our party to support this Bill yet we have to oppose it as we want to be faithful to the main principles.

AN HON MEMBER What is the Principle?

SHRI EDUARDO FALEIRO The principle involved is that Union Territories must be put on the same footing as the States.

Sir I would like to say this much. I fail to appreciate why this extension of seven months? Why seven months and why not eight months? Why seven months and why not four months? If they want to repeal the Ordinance why not they repeal the

Ordinance forthwith? Why not say that the Assembly stands dissolved immediately? What is the point in giving seven months? There is no legal bar to dissolve the Assembly immediately and hold the elections after the monsoon or before the monsoon. In fact if they are serious about holding the elections if they want that popular government should come they can have elections in the month of May itself because 40 days are remaining now. A notice of 40 days is enough.

The point I want to make is that the Lok Sabha elections have proved that the present government in the Union Territory does not have the support of the people. Out of the 30 Assembly constituencies 18 constituencies voted in favour of the Congress Party and only 12 voted in favour of the Maharashtravadi Gomantak Party. This being the position there is something more which this government and the hon. Home Minister can do. I would like to say this because it is very important in the interest of our country in the interest of the Union Territory and in the interest of decent politics in this country.

There are serious allegations of corruption and gross misconduct or misuse of power against the Chief Minister. These charges are before the Home Ministry. These charges deserve to be enquired into. A commission of enquiry should be appointed against the Chief Minister and then necessary action must be taken.

It has been proved by judicial authority how corrupt is the Government of Tamil Nadu. The people in the Union Territory of Goa have compiled the charges against the present Chief Minister in Goa and they have made a tabular statement showing the charges proved against Mrs. Kakodkar and showing what are the charges *prima facie* estab-

[Shri Krishna Chandra Halder]

we feel that this period is sufficient enough to implement democratic economic principles. If it is not done there will be a natural tilt towards authoritarianism as we had witnessed in the recent past. I hardly need to mention Sir that the 42nd Amendment of the constitution was passed in this House by the Congress Government by clamping down emergency in the country and putting leaders and workers of the opposition parties behind the bar and ignoring public opinion. But as soon as they went to the people for their opinion they rejected the legislation completely. Through this election they gave a clear verdict that they are opposed to dictatorship and bureaucracy. They have also asserted their faith in individual liberty, right of assembly, right of trade union activities, right of freedom of speech and above all that the democratic norms be maintained in the country. They did not want to face the people.

DR. HENRY AUSTIN On a point of order. How can the hon. Member maintain his position? Our government decided to hold the elections long before the expiry of the one year extended term. How can he say that we were afraid of facing the people? We could have waited for another year.

SIR SPEAKER You are only making a second speech. There is no point of order.

SHRI KRISHNA CHANDRA HALDER I think they even did not like to hold the elections but because of external pressure and other factors which I don't want to go in detail here they were forced to hold the elections.

The Congress party wanted to stick to power and convert this great country into a big jail. If they had agreed to hold the elections it was after they got intelligence report from their police, the RAW and as is said, they even had gone to the astrologers to know about their fate in elections but all their calculations went wrong and

the masses who live in villages and who are taken as illiterates, have proved to the world beyond all doubt that they are second to none in their political maturity and their faith to uphold democracy in the country is absolute and unshakable. It was because of the people's faith in democracy that the Janata Government is in power today.

They are trying to restore democracy in their country and as such support the Bill.

श्री हर्षोरी ठाकुर (समस्तीपुर) अध्यक्ष महोदय, मैं नवीय गृह मंत्री ने जो विधेयक इस सदन में उपस्थापित किया है, मैं उसका समर्थन करने के लिए यहां हूँ। गोवा समन दीव और मिजोरम में अखंड, अखंड तब चुनाव कराने के उद्देश्य से यह विधेयक सदन में उपस्थित किया गया है। वह चुनाव करना अनिवार्य है क्योंकि जो मुक्त की वह छत्र हो गई है।

जनता ने जब शुरू में चुनाव किया था, तो हमारे देश के संविधान के अनुसार जो उसकी निर्धारित अवधि थी, वह समाप्त हो गई थी। अतः बालीन स्थिति में तत्कालीन सरकार ने द्वारा जो संविधान में संशोधन किया गया, उस समय उस सरकार को संविधान में संशोधन करने का कोई अधिकार नहीं था। वह सरकार अपनी 5 साल की अवधि 1976 के मार्च में ही समाप्त कर चुकी थी। 1971 में जो चुनाव हुआ था, वह 5 साल के लिए हुआ था कि 6 साल के लिए। आज का जो विरोधी दल है उसकी धार से भ्रमसर कहा जाता है कि हमने तो औपचारिक रूप से संशोधन कर लिया है। हम राज्य में अधिकार सम्पन्न थे और उनकी अधिकार के अन्तर्गत हमने संविधान का संशोधन किया था। मैं कहता हूँ कि 5 साल की अवधि खत्म हो जाना कि बाद संशोधन करने का उनका कोई अधिकार नहीं था।

उन्होंने न केवल मामूली संशोधन किया बल्कि संविधान का सारा ढांचा बदल दिया।

दुनियादी ढांचे ने महान परिवर्तन कर दिया, जिसके लिए जनता ने 1971 में उनको नहीं चुना। अगर चुना था तो 5 साल के लिए चुना था, 6 साल के लिए नहीं चुना था।

अभी-अभी एक माननीय सदस्य ने कहा कि कांग्रेस पार्टी इस बात के लिए बहुत चिन्तित है कि ज. गोवा, दमन, दीव और मिजोरम या इसरी यूनिफन टेस्टरीज हैं वह अन्य राज्यों के समर्थन आ जायें, उनमें एक रूपता स्थापित हो जाए। इस एक रूपता का उपदेश देने का अधिकार अब कांग्रेस पार्टी को नहीं रह गया है। हमारे देश में एक कहावत है कि 100 चूहे खा के मिली हज्र को चली। जिन्होंने एक रूपता को गूँथ कर दिया है, उन्हें एक रूपता का उपदेश देने का क्या अधिकार है?

1967 तक लोक-सभा और राज्य की विधान सभाओं के चुनाव 5.5 साल के लिये साथ साथ होते थे। लेकिन 1971 में सिर्फ लोक सभा का चुनाव कराया गया। यह चुनाव 4 साल बीत जाने के बाद कराया गया, पाचवें साल के लिये कांग्रेस पार्टी ने इन्तजार नहीं किया। राज्यों की विधान-सभाओं के चुनाव सन् 1972 के मार्च में हुए। इस तरह से एक रूपता समाप्त हो गई।

अभी भी सिर्फ लोक सभा का चुनाव हो गया, अगर राज्यों की विधान-सभाओं के चुनाव नहीं हुए। अगर वह एक रूपता के हामी हैं, तो उन्हें 1971 में नहीं, बल्कि 1972 में सभी जगह के चुनाव साथ-साथ करने चाहिये थे। अगर वह वास्तव में एक रूपता के समर्थक हैं, तो उन्हें लोक सभा के हान के चुनावों के साथ साथ विधान सभाओं के चुनाव भी कराने चाहिये थे।

आज जब विधि मंत्री ने छ. मार्च की प्रगति को घटा कर पांच साल करने के सम्बन्ध में एक विधेयक पेश किया, तो कांग्रेस पार्टी ने नेता ने उस का विरोध किया। मैं मशरूफा

हू कि वे एक रूपता के समर्थन नहीं, बल्कि अपने राजनैतिक स्वार्थ के समर्थक हैं। विरोधी दल के नेता ने कहा कि इस विधेयक के पीछे कोई राजनैतिक भावना छिपी हुई है, यह राजनैतिक बदनीयती है। अगर 1971 में केवल लोक सभा के चुनाव कराने में कांग्रेस पार्टी के लोगों को राजनैतिक बदनीयती नहीं सूझती थी, अगर इस बार केवल लोक सभा के चुनाव कराने का राजनैतिक बदनीयती देखने के लिए कांग्रेस पार्टी के सदस्यों के पास आँखें नहीं थी, तो आज जो विधेयक गृह मंत्री ने पेश किया है, उसका राजनैतिक बदनीयती देखने पर उन की आँखें फूट जानी चाहिए।

मैं कहना चाहता हू कि विरोधी दल के सदस्यों को अपना विरोध वापस ले लेना चाहिए और इस सदन को माननीय गृह मंत्री द्वारा पेश किया गया विधेयक पारित कर देना चाहिए। चुनाव कराने की प्रवृत्ति संविधान के द्वाारा निर्धारित की जाती है, केवल एक पार्टी के कहने से वह प्रवृत्ति निर्धारित नहीं होती है। जिस समय संविधान में संशोधन किया गया, उस समय विरोधी दल इस सदन में नहीं था। वह उस समय जेल में बन्द था। गैर-मानवी घातकता की स्थिति लागू कर के विरोधी दलों के सदस्यों को जेल में बन्द कर दिया गया था। कांग्रेस पार्टी की तरफ से कहा गया कि उस संविधान संशोधन के प्रश्न पर एक राष्ट्रीय धार-विवाद हुआ था। यह गलत है। केवल कांग्रेस पार्टी और भारतीय कम्युनिस्ट पार्टी के सिवा इस देश में किसी भी अन्य दल को अपने विचार व्यक्त करने की आजादी नहीं थी। साप्ताहिकों की तादाद में उन के नेता और कार्यकर्ता जेलों में बन्द थे। अधिनियम के मूह पर ताला लगा दिया गया था। आप समाज नहीं की जा सकती थी। उन दिनों 3 फरार था और दो फरार रोज के लिए दिल्ली में था थी कृष्णबाल के मयोजक की हैमियन से ए.ए.एन. में सम्मिलित का आयोजन किया था, लेकिन सरकार की तरफ से इजाजत नहीं दी गई। पूरे देश में घड़ी स्थिति थी।

[श्री कर्पूरी ठाकूर]

ऐसा लगता है कि कांग्रेस पार्टी की नेशनल डायलाग की परिभाषा है एक पार्टी । डायलाग एक पार्टी की मीटिंगें और एक पार्टी के नेताओं के बयान । दुनिया के लगभग नेशनल डायलाग का जो अर्थ करता है, कांग्रेस पार्टी की डिक्शनरी में उस का वह अर्थ नहीं है । एक पार्टी के अन्दर जा बाद विवाद होता है, कांग्रेस पार्टी के अनुसार, वह नेशनल डायलाग कहलाता है ।

अगर दूसरे देशों के संविधानों में छ या सात साल की अवधि है तो उन को मूवार्ड हो । लेकिन इस देश में तो कांग्रेस पार्टी ने सेन-सेन प्रकारेण अपने प्राप को सत्ता में रखने के लिए और इस देश की जनता की राय और विचारों को पैरा तल रोदने के लिए पांच साल की अवधि को बढ़ा कर छ साल कर दिया ।

इन शब्दों के साथ मैं पूरी शक्ति के साथ कांग्रेस पार्टी के कथन और विचारों का विरोध करता हूँ और चाहता हूँ कि गृह मंत्री का प्रस्ताव बहुमत से, और अगर हो सके तो सर्व-सम्मति से, पारित हो ।

PROF SHIBBAN LAL SAKSENA (Maharajganj) Congress party has said nobody opposed the six year term when the Forty-fourth Constitution (Amendment) Bill was passed. This is utterly false, I was the solitary opponent in the House who opposed every one of the 59 clauses of the Forty fourth Amendment Bill including the six year term. In fact I gave an amendment that the term should be four years instead of six years. The term of American Congress is also for four years. Members of the Rajya Sabha also retire every two years. So, it is wrong that I wanted six years and not four years

1732 hrs

[PANDIT D N TIWARY in the Chair]

श्री नाथू राम मिश्रा (नागौर) सभा-पति महोदय, यह प्राडिनेस जिस की पास

करवाने की जल्दी है उस के संबंध में तथा इसके बाद जो दूसरा कानून है इन दोनों के सम्बंध में मैं कुछ विचार रखना चाहता हूँ । यह सरकार 6 साल का पीरियड घटा कर कहीं पर पांच साल चार महीने, कहीं पांच साल सात महीने और ध्रुव सभी जगह पांच साल सात महीने करना चाहती है । इसके बारे में कुछ विशेष आर्गुमेंट तो गृह मंत्री ने दिया नहीं कि वे क्यों ऐसा करना चाहते हैं । अगर वे कुछ समझाते कि ऐसा करना इसलिए जरूरी है और जो पहले 6 साल का पैमला हुआ वह इस तरीके से गलत है तो हम शायद उन बातों को सुन कर कुछ जवाब देते । खैर, मैं बहुत गम्भीरता से गृह मंत्री से निवेदन करना चाहता हूँ कि यह पाँच साल से 6 साल करने की बात बहुत हल्केपन से नहीं की गई और सिर्फ एक राजनैतिक दृष्टि से यह नहीं दिया गया । इस के पीछे एक बड़ा भारी लीजिक है । वह मैं आप से बना रहा हूँ । आप जरा गौर कीजिए । हमारे देश के विकास और तरक्की की योजना करना हमारे इस सदन का सब से बड़ा लक्ष्य है और देश की जनता की तरक्की योजनाओं से होती है ... (व्यवधान) । एमजेंसी जरूरी थी । बार बार आप एमजेंसी की बात कहेंगे तो मुझे उस पर ज्यादा कहना पड़ेगा । एमजेंसी के लिए मैंने कहा दिया कि एमजेंसी को मैं जरूरी समझता हूँ । लेकिन ध्रुव जो मैं कह रहा हूँ उस की गौर से सुनिए । इस देश का काम होता है विकास योजनाओं से और विकास योजनाएँ बनती हैं देश के प्लान से । देश के प्लान की अवधि है पांच साल । अगर पांच साल की ही अवधि सदन की हो तो एक साल तो इस सदन की अवधि में और जा चातें अदर भरी होती है उन को बढ़ने में निवृत्त जाता है । एक साल तो बराबर आप एमजेंसी गाएंगे । एक साल तो आप के एमजेंसी के पीछे गए ... । (व्यवधान)

श्री कर्पूरी ठाकूर तीन साल योजना नहीं बनी । चौथे साल में योजना बनी है ।

श्री नाथू राम मिर्षा : सब योजनाएँ चली है। आप को ध्यान ही नहीं है।

श्री कर्पूरी ठाकुर : दो दफा योजनाओं की छुट्टी थी। एक दफा तीन साल के लिए, और फिर दूसरी दफा तीन साल के लिए।

श्री नाथू राम मिर्षा : आपका ब्याल है यह। योजनाएँ चल रही थी इस देश में और हर साल के आकड़े मौजूद हैं। अंधे होकर आप मत चलिए। (व्यवधान)

मैं गृह मंत्री जी से निवेदन करना चाहता हूँ कि पांच साल की योजनाएँ बननी हैं और पांच साल की पांच योजनाएँ हम पूरी करने जा रहे हैं। उसके बाद मैं भी हमारी योजनाएँ चलेगी। इस सदन का 6 साल का डेम बनने का यह मतलब था कि पांच साल की योजना के लिए पहले एक दो साल रिमोलेज रो केनाइन करने में, योजनाओं को फाइनल रूप देने में और चर्चा करने में निरल जाते हैं। वह समय फालतू जाता है। योजना पर दो तीन साल जो काम होना है वह बीस साल और पक्का जाता है और आखिरी साल उस पर पूरा जोर दिया जाता है। अगर एक साल इस तरह से मारी बीजा को जमाने और रेल की पट्टी बनाने के लिए मिल जायें तो पांच साल की योजना 6 साल में अच्छी तरह पूरी हो सकती है। (व्यवधान)।

मैं बहुत नम्रता के साथ निवेदन करना चाहता हूँ कि अगर इस देश की गरीबी और बेकारी मिटानी है जिसके लिए आपने दस साल का पीरियड मांगा है उसको अगर आप बचाये 10 से 12 साल में भी पूरा कर दें तो इस देश की जनता का आप बड़ा उपकार करेंगे। इस तरह से आप एक साल अपनी शक्ति और सामर्थ्य योजना को बनाने में लगा सकेंगे और आखिरी साल में उसको पूरा कर सकेंगे। इसलिए मैं चाहूंगा कि आप राजनीति के चक्कर में न पड़ें। 5 की जगह 6 साल सभी जगह हो गए हैं। अगर आप

इसको फिर पांच साल करते हैं तो लोग यही कहेंगे कि आपने राजनीतिक दृष्टिकोण अपनाया। मैं नहीं चाहता कि जनता सरकार इस कलक को अपने माथे पर ले। (व्यवधान) मैं श्री कर्पूरी ठाकुर जी से कहूंगा कि वे इस पर जरा गहराई से विचार करें। 7 महीने तो आपने मान ही लिए हैं फिर 4 और महीनों में कोई फर्क नहीं पड़ने वाला है। बरसान के बाद किसान अपने खेत में लग जाता है। वह अपने खेत की जोताई करेगा या एलेक्शन में लगेगा। इसलिये मैं बहुत नम्रता के साथ आपसे निवेदन करूंगा कि आप 6 साल का समय ही रहने दीजिए। चार महीने में कोई फर्क नहीं पड़ने वाला है। अगर आपके पीछे सही मानने में राजनीतिक ताकत है तो चार महीने के बाद भी अपना असर खोने वाले नहीं है, आप फिर से सीटें जीतकर आ सकते हैं। इसलिए मेरी आप से प्रार्थना है कि आप इस पर गहराई से विचार कीजिये और इसको राजनीतिक मुद्दा मत बनाइये। आप 6 साल रखकर इस कानून को पास करवा लीजिये। इससे जनता पार्टी और हमारा-लोको वा ही प्रबुद्धा असर पड़ेगा। मेरी आपसे प्रार्थना है कि आप इस पर गहराई के साथ विचार करें।

गृह मंत्री (चौधरी चरण सिंह) : समा-पति, महोदय, इससे मेरे दो मित्र जो बोल चुके हैं उस के बाद मुझे कुछ कहने की जरूरत नहीं है। विरोधी दल के माननीय सदस्य की ओर से एक भी तर्क ऐसा नहीं दिया गया जिस में जबाब देने की कोई जरूरत हो और इस बात को वे स्वयं अपने दिल में जानते भी थे।

एक नया तर्क यह लाया गया है कि पांच साल की योजना को पूरा करने के बाद एक साल के लिये उसे और बढ़ा दिया जाये। मैं नहीं समझता हूँ कि कहीं भी इस तरह का तर्क दिया गया है कि 5 साल को बढ़ा कर 6 साल कर दिया जाये। आपकी जा बीभी

[श्रीधरी चरण सिंह]

योजना थी, वह 1969 से 1974 तक थी, उसके बाद आपन अगली योजना की तैयारी में 2 साल दर कर दो और अगली योजना 1976 में लागू हुई। अगर आप को दलील इस तरह का है तो यह 7 साल होना चाहिए लेकिन मेरा ख्याल है कि अगर योजना 5 साल की है तो पाचवे साल में अगली योजना की तैयारी हो सकती है। आप यह चाहते हैं कि 5 वर्ष योजना चलाई जाये और उस के बाद 1 वर्ष खाली बंद कर योजना बनाने में वृत्त एक ऐसा बात है जिसमें अखाने बन की में आवश्यकता नहीं समझता हूँ।

एक माननीय सदस्य बोले कि वही पर 7 साल की टर्म भी है मुझे नहीं मालूम कि किसी प्रसिद्धि की टर्म 7 साल है। अगर 7 साल रखना जरूरी समझते हैं तो फिर 8 साल या 9 साल क्या न हो — यह क्या बात हुई ? मैं नहीं समझता हूँ कि इस में किसी तर्फील में जाने की जरूरत है। जैसा मैंने पहले मदन से अर्थ किया था, मेरे इस प्रस्ताव को सदन स्वीकार करे।

सभापति महोदय प्रस्ताव प्रस्तुत हुआ

'कि सच राज्य क्षेत्र शासन अधिनियम 1963 का और संशोधन करने वाले विधेयक पर विचार किया जाए।'

The motion was adopted

सभापति महोदय अब मैं क्लॉक 2 पर रखे गये सरकार के संशोधन को लेता हूँ —

Clause 2—(Amendment of section 5)

Amendment made

Pages 1 and 2,—

for lines 8 to 15 and lines 1 and 2 respectively, substitute—

'Provided further that the provisions of this section shall, in relation to the Legislative Assemblies of the Union territories of Goa, Daman and Diu and Mizoram, in existence on the 7th day of February, 1977, apply as if for the words 'five years', in the two places where they occur, the words "five years and seven months" had been substituted' (3)

(Chaudhuri Charan Singh)

सभापति महोदय प्रश्न यह है कि क्लॉक 2 संशोधन रूप में विधेयक का अंग बने।

The motion was adopted

Clause 2 as amended, was added to the Bill.

सभापति महोदय प्रश्न यह है कि क्लॉक 3 विधेयक का अंग बने।

The motion was adopted

Clause 3 was added to the Bill

सभापति महोदय प्रश्न यह है कि क्लॉक 1, इन्वेस्टिंग, भूतल और टाइटल इन विधेयक के अंग बने।

The motion was adopted

Clause 1, the Enacting Formula and the Title was added to the Bill.

श्रीधरी चरण सिंह मैं प्रस्ताव करता हूँ

'कि इस विधेयक को संशोधित रूप में पास किया जाए।'

सभापति महोदय प्रश्न यह है

'कि इस विधेयक को संशोधित रूप में पास किया जाए।'

The motion was adopted

17.45 hrs

गृह मंत्री (चौधरी चरण सिंह) मैं प्रस्ताव करता हूँ

"कि दिल्ली प्रशासन अधिनियम, 1966 का संशोधन करने वाले विधेयक पर विचार किया जाये।"

सभापति महोदय इस से कोई नई बात मुझे नहीं बहनी है। जो पहले वह चुका हूँ, वही बात यहाँ भी लागू होती है। इस में हम 5 साल 4 महीने का समय बरतना चाहते हैं, क्योंकि यहाँ पर वर्षा या बरसात की कोई बाधा नहीं है। मैं चाहता हूँ कि इस की मियाद 20 मार्च से लेकर 20 जुलाई तक कर दी जाय। 20 जुलाई तक बढ़ा देने से इलक्शन कराये जा सकते हैं।

सभापति महोदय प्रस्ताव प्रस्तुत हुआ

कि दिल्ली प्रशासन अधिनियम, 1966 का संशोधन करने वाले विधेयक पर विचार किया जाये।

DR HENRY AUSTIN (Ernakulam) For the same reasons when we opposed the earlier Bill I wish to oppose this Bill also As I pointed out earlier this Bill lacks so many things and I don't think the people of this country particularly the Union Territories, will approve of this Bill The people of metropolitan cities who do not like to be treated as second-class citizens Here it is four months whereas in their case it is one year and I do not want to go into this matter any further I do not want to make a lengthy speech I oppose this Bill on principle

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA) I want to make a submission about the sitting of the House If you see the Order Paper you will find that the items that follow except item nos 25 and 26, refer to the legislative notification. These have to be passed today Other-

wise the ordinances would lapse The Government is very keen that items other than item nos 25 and 26, are completed by the House today I would like to make a special request to the hon Members opposite to co-operate with the Government These are not controversial issues and if the House does not legislate on them the ordinances may lapse and we may be in a difficult position Through you, Mr Chairman I would appeal to the hon Members to co-operate with the Government to see that these items are completed today As far as item nos 25 and 26 are concerned these may be taken up in the next session

DR SUBRAMANIAM SWAMY (Bombay North East) In deference to the wishes of the House I am in agreement with the proposals made by the Minister of Parliamentary Affairs

SHRI K. RAGHU RAMAIAH (Guntur) We agree upto 24 But, we do not know whether according to the rules item nos 25 and 26 automatically go to the next session

SHRI RAVINDRA VARMA We shall request for permission to raise them during the next session

SHRI K. RAGHU RAMAIAH We are not committing to that but we would help you to carry through upto item No 24

DR SUBRAMANIAM SWAMY Have you given a decision on item No 25? I would like to discuss it, with your permission in view of the statement made by the Minister I have no objection if it is to be transferred to the first day of the next session I do not wish to put any obstruction This is an act of sacrifice on my part

MR CHAIRMAN We shall see that after this Bill is passed.

SHRI K. RAGHU RAMAIAH All that I am saying is whether under the rules it is permissible to carry on item Nos 25 and 26 to the next session.

SHRI RAVINDRA VARMA Fresh notice has to be given

MR CHAIRMAN Government will have to give fresh notice

SHRI DINEN BHATTACHARYA (Serampore) Are you talking about 25 or 26?

MR CHAIRMAN Both

श्री विजय कुमार मन्होत्रा (दक्षिण दिल्ली) : दिल्ली एरमिनिस्टेशन एक्ट के टर्म को पांच साल से दस बार छ साल करने का कोशिश हुई थी। हमारे गृह मंत्री जी ने उसके बजाय इसकी धरति को पांच साल से बढ़ा कर केवल पांच साल चार महीने करने का प्रस्ताव रखा है। मुझे आश्चर्य है कि इसका भी विरोध हमारे विराघो दल के लोग कर रहे हैं। दुनिया के इतिहास में किसी भी डेमोक्रेटिक कट्टी में किसी भी डेमोक्रेटिक इंसान ने आपने नहीं देखा होगा कि किसी की भी उम्र एक साल इस तरह से बढ़ाई गई हो। मुझे हैरानी होती है कि भारतीय जन के लोग धार भी इसकी भारी डिमांड होने के बाद इस तरह के एक इम्पॉजिट एक्ट के साथ जुड़े हुए हैं और कोशिश कर रहे हैं कि इसकी टर्म को बढ़ा कर छ साल कर दिया जाए, पांच से छ साल कर दिया जाए। आप देखें कि पार्गुमेंट के लोग क्या देने हैं और यह बहुत ही हास्यास्पद है, हैरानी पैदा करने वाली है। और तो कोई पार्गुमेंट उनको नहीं मिला, उन्होंने यह कह दिया कि प्लान के साथ यह मामला जुड़ा हुआ है, प्लान पोरिफर इलैक्शन के साथ जुड़ा हुआ है। अब आप देखें कि इलैक्शन तो होगा है 1978 में और प्लान 1979 में खत्म होगा। अगला प्लान 1979 में शुरू होगा और 1984 तक जाएगा। उसका कोई ताल्लुक इलैक्शन के साथ नहीं है पार्गुमेंट के तौर पर ही उन्होंने यह बात कह दी है। मैं समझता हूँ कि गृह मंत्री की बहुत बड़ी उदारता है कि उन्होंने चार महीने टर्म को बढ़ाने की पेशकश की है। चाहिये तो यह था कि एक दिन का भी एक्स्टेंशन

उनको न दिया जाता। आप देखें कि पीपल्स रिप्रिजेंटेशन एक्ट में यह कहा गया है कि टर्म खत्म होने से पहले चुनाव हो जाने चाहिये। लेकिन गृह मंत्री जी ने पांच साल की टर्म खत्म होने के बाद चार महीने इसकी टर्म को बढ़ाने का प्रस्ताव दिया है। इस दौरान इलैक्शन हो जायेंगे। वरना पीपल्स रिप्रिजेंटेशन एक्ट के मुताबिक टर्म खत्म होने से पहले इलैक्शन हो जाने चाहिये थे। कांग्रेस पार्टी ने मजिस्ट्रेट के जरिये उसकी उम्र को बढ़ा दिया था। अब यह जो लंबूना था इसको दूर करने के लिए जो चार महीने इसकी टर्म को बढ़ाने का प्रस्ताव रखा गया है वह इसलिए रखा गया है कि गोमा में सान महीने दिया गया है और वह इसलिए दिया गया है क्योंकि उस बीच में बहुत पर इलैक्शन नहीं हो सके थे। इस मामले में पर भी चार महीने करना पड़ा है। मैं समझता हूँ कि फीरी तीर पर इसको डिमांड करने चुनाव करवाया जाना जरूरी था। यह इसलिए भी जरूरी था कि एमरजेंसी के दौरान दिल्ली के और देश में बहुत ज्यादा जुलूम, भ्रष्टाचार और भ्रष्टाचार लोगों पर हुए हैं। बहुत बुरी तरह की डिस्ट्रिबुशन दिल्ली में बायम की गई थी। उस सब के लिए जिम्मेदार यहाँ काउंसिल के लेगिस्लेटिव काउंसिलर थे। प्रधान मंत्री श्रीमती इंदिरा गांधी और सचिव गांधी के जो हथियार बने थे यहाँ दिल्ली के चार ऐग्जीक्यूटिव काउंसिलर थे। हजारों लोगों को बहुत गिरफ्तार किया गया, जेल में धकेल दिया गया, बहुत पर तरह तरह से तंग किया गया, दबाई, इनकार की सुविधा उनको नहीं दी गई, बीस लोगों की हत्या कर दी गई। जिस तरह से सारी प्रेस का गला घोट गया वह सब को मान्य है। जिस को शायद उसको पकड़ कर जेल में डाल दिया गया। यह सब कुछ जिन के कारण हुआ और जो लोग उसने लिए जिम्मेदार हैं उससे बाबजूद भी जनता पार्टी उनको एक्स्टेंशन देने जा रही है। लेकिन भ्रष्टाचार की बात यह है कि इसके बाबजूद भी हमारे दोस्त इसका विरोध कर रहे हैं, यह बहुत आश्चर्य की बात है।

[श्री विज। कुमार मन्होत्रा]

दिल्ली के ऐंग्जीक्यूटिव काउंसिलर्स ने जिन्होंने तुर्कमान गेट पर गोली चलवाई, जिस १ बीस लोगो को जानें गई, जिन्होंने दिल्ली १ साडे छ लाख लोगो को उजाड़ कर बीस मील दूर फेंक दिया, अनयाथोरादृष्ट कालोनीज पर बुलडोजर चलवा दिए, उनके इन का नामों के बावजूद भी जहां उनको और काउंसिल को एक दिन की भी एक्सटेंशन देने की जरूरत नहीं थी, जो इतने विनिमस ऐक्स के लिए जिम्मेदार थे, उनको एक्सटेंशन देने की बात इसलिए हो रही है क्योंकि गोप्रा की प्रमैम्बलो को दिया गया है और ऐसा न लग कि उनके साथ फ्यादमी हो रही है।

ऐंग्जीक्यूटिव काउंसिल में उनका दर्ज की कुरूपान हैं, बहुत ज्यादा बड़ा कुरूपान के मामले हैं। म्यूजिंग मशीन स्कैंडल, ट्रांसपोर्ट स्कैंडल, मारुति स्कैंडल आदि स्कैंडल में य सब लोग इनवाल्ड है। माराय स्कैंडल आदि स्कैंडल लगाताग होने जा रहे हैं। कांग्रेस पार्टी ने अपनी हार के बाद भी कोई सबक नहीं लिया है। बड़ी कालिदेसी हो रही है। यह यह है कि जनता पार्टी की बदनाम किया जाए। उसके लिए साजिशें की जा रही हैं। सैकड़ों फाइले प्राइम मिनिस्टर हाउस से ले जा कर जलाई गई हैं और जलाई जा रही हैं। दिल्ली एडमिनिस्ट्रेशन को फाइलें भी जलाई जा रही हैं। इसको रोका जाए, इन फाइलों को काग़ू से करने का इन्जाम किया जाए।

पिछले चार पांच दिनों में जनता पार्टी को बदनाम करने के लिए बड़े प्रकार के हवैकडे इन्तेमाल में लाए गए हैं। कांग्रेस ने सिमेंट के मिल प्रॉनजें ने इलेक्शन से पहले साजिश की, उन से रपदा लिया और उभारा नतीजा यह है कि आज सारे देश में और दिल्ली में सिमेंट की स्केयरमिटी हो गई है, सिमेंट मिल नहीं रहा है, दिल्ली में उसका मिलना एक तरह से बिल्कुल बन्द हो गया है।

इसी तरह से डालडा कम्पनी के जो मालिक लोग थे उन में कांग्रेस पार्टी ने चुनाव में करीबों ६० लिया श्री आज उस की आर्टि-फिशियल स्केयरमिटी पैदा की जा रही है। इसी तरह से क्योंकि अभी तक कारपोरेशन में उन्ही के लोग हैं इसलिये मेट्रोपॉलिटन इफेक्ट से, 1976 के हिमाव से, 10 गुना ज्यादा सेल्स टैक्स महा पर लागू कर दिया गया है और उस के बिल भेज दिये गये हैं। मैं माननीय गृह मंत्री जी से कहूंगा कि इस ऐंग्जीक्यूटिव काउंसिल को अगर नहीं तोड़ा गया तो करंट लोगों के हाँसते बढेंगे।

मेरा निवेदन है कि दिल्ली को स्टेट प्रसेम्बली का दर्जा देना बहुत जरूरी है। दिल्ली एक बॉयविल यूनिट है। अपने पैसे से नॉन-प्लान ऐक्मपेडिचर में 40 करोड़ की बचत होती है और इन्कम टैक्स से जो पैसा मिलता है उस में से 400 करोड़ ६० दिल्ली पे बरती है। इस लिए दिल्ली को स्टेट प्रसेम्बली बनाया जाये और ऐंग्जीक्यूटिव काउंसिल को तुरन्त तोड़ा जाय।

इन शब्दों के साथ मैं हम का समर्थन करता हूँ।

श्रीधर प्रहल प्रकाश (बाह्य दिल्ली) : सभापति जी, मैं इस विन की मुखालिफन करने के लिये खड़ा हुमा हूँ। मुखालिफन का कारण यह है कि यह जो मेट्रोपॉलिटन और ऐंग्जीक्यूटिव काउंसिल है, जैसा मैंने आज से 10 साल पहले भी कहा था जब यह बिल बन रहा था कि दिल्ली के लोगों को बहवाने के लिये यह एक खिलाता दिया जा रहा है और मेट्रोपॉलिटन काउंसिल और ऐंग्जीक्यूटिव काउंसिल दिल्ली को बोर्ड ताल्लो नहीं कर सकेगी। और यह बेकार साबित होगी और वह बात आज सही साबित हो गई है। मैं तबकीज करता हूँ कि हम बिल को बिदडा किया जाये और हम को लैस होने दिया जाय। जन्दी ही सरकार अपने रोशन के प्रन्दर दिल्ली स्टेट प्रमैम्बली कायम करने के लिए

एक नया बिल लाये और साथ ही साथ ऐंजीक्विटिव काउन्सिल को भंग कर दें। इस वास्ते इस बिल को इस वक्त चलाने की कोई जरूरत नहीं है।

आप को मालूम है कि दिल्ली में 1917 से यह मांग चली आ रही है कि दिल्ली के अन्दर असेम्बली हो। पांच साल के लिये 1951 से 1956 तक के लिये यहाँ असेम्बली वायम हुई और बाद में फिर उस को तोड़ दिया गया। जब कहा गया दिल्ली का शासन ठीक से नहीं चल रहा है और यहाँ बहुत कन्फ्यूजन और कंफ़स है ऐडमिनिस्ट्रेशन के अन्दर, यहाँ कोई यूनीफ़ाइड आचारिटी नहीं है यहाँ जो वारपारेजन् बनाई गई थी वह यहाँ के मजालों को हल करने में नाकामयाब हुई है, तो उस वक्त यह कहा गया कि दिल्ली के लिये कोई नया दूसरा ऐडमिनिस्ट्रेशन लाया जाये चूँकि बारम्बार यह बात कही जाती थी कि दिल्ली असेम्बली नहीं है, लेकिन आप जो दिल्ली असेम्बली में चाहते हैं वह आप को मिल जायगा, इस पर बहुत हुई और मैं यहाँ इस सदन में दिल्ली की तरफ से रिप्रेजेंटेटिव था और होम मिनिस्ट्री से बातचीत कर रहा था तो मैंने कहा कि हमें कोई शिथ नहीं है कि यहाँ आप दिल्ली असेम्बली उस का नाम रखें। अगर मौवरेन्टी का कोई हिस्सा आप दिल्ली के दूसरे ढाँचे में डाल सकते हैं तो मैंने नाम बदलने में कोई एतराज नहीं होगा। लेकिन वह नहीं डाला जा सका। आखिर बिल पास होने लगा उस वक्त मैं प्रधान मंत्री श्री शास्त्री से मिला और कहा कि यह बिल पास न किया जाये अभी और जब आप हम से वापस लौटें तो आप के साथ बहुत मुवाहिता कर के उस में कुछ जान डाली जाये। उन्होंने इस बात को स्वीकार किया, हालाँकि श्री विशाचरण शुक्ल जी उस समय डिप्टी होम मिनिस्टर थे और जो हूचमैन समझे जाते थे और दाद में साबित भी हुए, उन्होंने चाहा था कि इस को जल्दी से जल्दी पास कराया

जाय। आप को जैसा मालूम है उस वक्त शास्त्री जी वापस नहीं आ सके और इंदिरा गांधी आई और सब से पहले उन्होंने दिल्ली ऐडमिनिस्ट्रेशन ऐक्ट को पास कराने में ब्रुडगेनर का इन्तमाल किया और जवरदस्ती इस बिल का उस वक्त पास किया हमारी राय के खिलाफ। नतीजा यह हुआ कि हम पर यह बिल लाद दिया गया। और उस वक्त में एक तरह से शुरुआत होती है इस बात की कि दिल्ली में जो यहाँ की कांग्रेस थी और और उस वक्त जो यहाँ की कांग्रेस सरकार थी उन में एक इच्छलाफ हो गया। सदन को मालूम होना चाहिए कि मैं ने उस वक्त भी कहा था कि यह एक खिलौना है, यह दिल्ली का बेजान किया जा रहा है, इस को आप न दें। मैं आज भी यह बात कहता हूँ कि इस तरफ़ि को हम न दोहराये। यहाँ तक कि कांग्रेस यूनियन जो यहाँ पहले थी वह भी यह बात मान चुकी है कि यह बेकार साबित हो चुका है। अब यहाँ पर दूसरा कोई तरीका सोचा जायगा कि क्या करना चाहिये।

तो मैं आप के जरिये गृह मंत्री जी से कहना चाहता हूँ कि हफा कर के आप इस बिल को वापस ले लें और इस दिल्ली ऐडमिनिस्ट्रेशन ऐक्ट को रिपील कर दें। और दिल्ली असेम्बली का नया बिल लायें ताकि दिल्ली के लोगो न राहत मिले। नहीं तो इस ऐडमिनिस्ट्रेशन से दिल्ली की मुश्किलें बढ़ेंगी और वहाँ के लोगो को कोई राहत मिलने वाली नहीं है।

18 hrs.

SHRI K. LAKKAPPA (Tumkur)
Mr Chairman, I think that the Home Minister has already stated that there should not be any repetition. But my Party views it in this way that, surreptitiously, the Government have brought forward these two Bills. It may have been done, according to them, for various reasons, but I can only say that this is being done on political grounds, because the Forty-

Second Constitution Amendment Act was passed by the previous Government, they want to undo that. This is the attitude of this Government. There is no logic in their argument about duration. This was passed when the Forty-Second Constitution Amendment Act was passed, there is lot of substance in that when the life of Rajya Sabha is six Years, why should it be five years in the case of Lok Sabha? Now, many of my friends on the other side are advocating that the voting age must be 18 years. Do you consider the Constitution to be static? The needs of the society are changing and according to these changes, certain changes should take place in the Constitution or in the Peoples Representation Act. The entire society is a changing society. Therefore, changes are inevitable. Therefore, your argument countering the points made on this side has no logic or substance. Do not take such hasty steps as if all the legislations that have been passed by the previous Government have no reasons behind them. People have voted for all these things. In the southern States people have voted for us and they have supported the Constitution Amendment. We have every reason to say that they have supported us. Should we not say that? Can I betray my people? I wish the economic policy of the Government had been pronounced by this time. I do not know why they are not doing that. It may be due to inner contradictions. It is no use bringing all political and controversial legislations only to hit the other side or take revenge on the previous Government. This type of witch-hunting against the previous Government is very bad. You are creating a very bad precedent by this. After six months or one year, you may go out of office. What will happen to your actions if the other party comes to power? Do not take it for granted that the verdict that has been given is for all time to come. My friends on this side and also our Leader have already said this. Whatever is done reasonably is alright if there are

valid reasons, then it is alright. But do not take a vindictive attitude by bringing all types of legislation in a day and pushing them through. This should not be the attitude of the Government. We are all agreeable for any change. As a matter of fact, our Party has supported the two Bills which were brought by Shri L. K. Advani. But at the same time please do not bring any legislation with a motive of political vindictiveness and to see that the other side is humiliated or subjugated. The motive of these two Bills is that you are in a hurry to topple the State Governments. That is clear from what the ruling party and the Prime Minister have been stating. The States are settled and are running. Let there be elections in the States on the due dates. Where is the hurry? After the elections in the States, you can bring forward anything you like. As I said you should not bring any hasty amendments or legislation for political vindictiveness. These things have been brought only with that motive. There are many important matters which could have been discussed usefully in this House like shortage of many essential commodities rising prices after the elections, victimisation of Harijans and other minority communities, and the violent activities etc. A lot of things have happened in this short period under this new Government. I would once again request that there should not be any political motive and vindictiveness in bringing forward this and other legislation.

श्री शिव नारायण सरसूनिया (बरोल बाग) सभापति महोदय, दिल्ली की जनता ने जनता पार्टी के हक में इतना बड़ा बॉम्बट दिया है और कांग्रेस पार्टी को पूरी तरह से रिजेक्ट कर दिया है। उस के बाद भी उन लोगों को और समय देने का प्रयत्न दिल्ली की जनता के लिए एमरजेंसी की हातन को जारी रखना है। इस समय जो बार महीने की एक्स्टेंशन की जा रही है, उस में भी वे लोग पोलिटिक्स

[श्री शिव नारायण सरसूनिया]

मोटि। दखन हैं। वास्तव में तो उन को आज ही हटा देना चाहिए। दिल्ली की जनता अब उन को छोड़ बर्बाद करने के लिए तैयार नहीं है। दिल्ली की जनता इस बात से बहुत दुखी है कि अभी भी उन लोगों को विधायन रखा जा रहा है जिन का दखना भी वह पसन्द नहीं करती है। वह किसी काम के लिए उन के पाम नहीं जाती है। वे लोग दिल्ली में एक दिन बनाने पर तुले हुए हैं।

जिन अफमरा ने उन के कहने के अनुसार काम नहीं किया, उन का बिस्मिल्लाहजन हा रहा है उन के साथ दुर्व्यवहार हो रहा है, उनका फादका को खराब किया जा रहा है। यदि जनता ने उन को बोट नहीं दिया है, इस लिए वे जान उस को बैर की दृष्टि से देखते हैं। दैनिक दृष्टि से हम जान का कोई प्राविश्य नहीं है कि उन लोगों को एक दिन भी छोड़ दिया जाए। दिल्ली के लोगों का यह निश्चयन मन है कि उन को किसी भी तरह से बहा न रहने दिया जाए।

मेरा कहना है कि मेट्रोपोलिटन कांसिल को तैयार दिया जाए, नये चुनाव कराये जाये और वहाँ पर विधान सभा को स्थापना को जाए। मेट्रो पर मेट्रोपॉलिटन कांसिल एपारिटीज हान के अलग दिल्ली की जनता बहुत परेशान है। कुछ एपारिटीज केन्द्र के अधीन और कुछ दिल्ली प्रशासन के अधीन होने के कारण दिल्ली की जनता को बहुत तकलीफों का सामना करना पड़ता है। अभी अभी इन्होंने दस गुना हाउस टैक्स कर दिया है और इसी कारण कर दिया है कि कारेम का यहां से बोट नहीं मिले। पानी का कर 17 पैस में बढ़ा कर एरदम से 40 पैसे कर दिया। इसी तरह विजनी के पैसों बढ़ा दिए। उन को अब भी बँटाए रखेंगे तो इसी तरह दिल्ली की जनता के साथ बैर भाव रख कर के गले ही काम करेंगे। इस कारण हम बहुत बुरा जो अनुभव हो रहा है उस की आज दिल्ली की जनता बर्बाद करने के लिए तैयार

नहीं है। इसलिए यह बिल वापस लिया जाय और वहाँ पर असेम्बली के लिए बिल लाया जाए। दिल्ली की जनता को असेम्बली दी जाए।

श्री विश्वेश्वर शर्मा (पूर्व दिल्ली) : सभापति महोदय, मैं इस आगस्ट हाउस में पहली दफा बोल रहा हूँ। आपन मौका दिया उस के लिए मैं आप का बहुत आभार प्रकट करता हूँ।

एक बात मैं कहना चाहता हूँ और वह यह कि गरी सभ में नहीं आता कि दिल्ली के लोग तो इतने अच्छे हैं, आप सब लोगों का इज्जत और मान देते हैं, फिर दिल्ली के लोगों के साथ इतनी ज्यादाती क्यों होती जा रही है। हर दफा जो भी ज्यादाती होती है तो दिल्ली के लोगों के साथ होती है। और आज एक दूसरे रूप में दिल्ली के लोगों के साथ ज्यादाती हो रही है। 1956 में असेम्बली तैयार हुई। दस साल के बाद फिर विचार कर के 1966 में मेट्रोपॉलिटन कांसिल का बिल लाया गया। उसके दस साल बाद दोबारा इस बारे में सब कर रहे हैं और मैं तो यह कहूँ कि अब तो 1976 भी गुजर चुका। अब 1977 का चुका है।

दिल्ली के डाके के ऊपर जितनी दफा भी विचार हुआ, दस सालों में विचार हुआ और हर दफा विश्वास दिलाया गया कि दिल्ली के डाके को सत्ता जा रहा है, उस पर विचार कर रहे हैं। इतने महकमे आज दिल्ली में हो गए हैं कि कोई शहरी अगर चौधरी माहब की स्टेट से या किसी दूसरी स्टेट से आता है तो एक छोटे से काम के लिए पता नहीं कितने डिपार्टमेंट्स में उसे अपनी जगह ढंकी पड़ती है। उस का एक ही इलाज था कि अगर पर कोई एक सिंगल यूनिफाइड एपारिटी होनी चाहिए जिसके पास लोगों की प्राबलम का हल हो सके। आप देखिए कि जिस वक्त म्यूनििसिपल कारपोरेशन दी गई तो स्वर्गीय गोविन्द वल्लभ पंत ने कहा था कि हम आप को ऐसी कारपोरेशन दे रहे हैं जो

प्रदेशों का हन होगी। उस कारपोरेशन ने भी हन नहीं किया—1957 में कारपोरेशन को बनाया गया था—तो 1966 में फिर सोचा गया और फिर मेट्रोपोलिटन कांसिल की बात लायी गई। जब यह लायी गई उस वक़्त भी यह विश्वास दिलाया गया कि यह यहाँ का प्रावलय का हन होगा। लेकिन दस साल में फिर पार्लियामेंट में वही बात बार-बार दोहरायी गई और कहा गया कि इस से भी भयानक हन नहीं हो रहे हैं। तब कहा गया कि अब कोई और तरीका होगा। अब दस साल भी पूरे हो गए। फिर भी मेट्रोपोलिटन कांसिल को एक्सटेंड किए जा रहे हैं। इस तरह एक्सटेंड करने रहेंगे तो मालूम नहीं कब इस पर ठेके दिल से सोचेंगे, कब विचार करेंगे। मैं तो समझता हूँ कि दिल्ली के लोगों के साथ बहुत दिनों से अन्याय होता जा रहा है। इस अन्याय को लोग दर्शाते भी करते हैं। लेकिन कभी कभी बीजेपी सरकार की सीमा से बाहर भी हो जाता करता है। मेरा तो विचार इतना ही बहना है कि इस को एक्सटेंड करने का मतलब क्या है यह कुछ मेरी समझ में नहीं आता। एक तरफ तो कहते हैं कि पांच साल दाना चाहिए। फिर हम खुद प्रावलय किए कर रहे हैं और सात महीने के लिए एक्सटेंड कर के उस का साल करना चाहते हैं। पहले खुद प्रावलय श्रैट करे और फिर उस को साल कर दे यह कुछ मेरी समझ में नहीं आता। आज जो मेट्रोपोलिटन कांसिल है उससे के लोग तो कह ही रहे हैं कि पोलिटिकल विक्टिमाइजेशन हो रहा है, पोलिटिकल मोटिव तो मेरी समझ में नहीं आता कि उन की तरफ से है या इस तरफ से है, मैं तो समझता हूँ कि जनता सरकार की बहुत ज्यादा उदारता है, उस को स्वीकार करने में बजाय में पोलिटिकल विक्टिमाइजेशन उस को कहते हैं जब इन का कहना हो यही है तो हम अपने रास्ते को तो नहीं छोड़ सकते। यह बात तो ठीक है होम मिनिस्टर साहब की। लेकिन एक बात देखनी होगी कि बाकी स्टेट्स और मूनियन टैरिटरीज के साथ इस को कम्प्राइज नहीं

दिया जा सकता। दिल्ली का अपना एक अलग स्थान, एक अलग जगह है। इसकी प्रावलय को हन करने के लिए पिछले सालों में बहुत दफा कमिटीज किया गया है। तो कोई यूनिफाइड एथारिटी इस के लिए बनाई जाए। कोई नाम से हम बहुत अटेंचमेंट नहीं है। लेकिन कोई ऐसी एथारिटी हो जहाँ उस के सार मसले हल हों। 60 लाख दिल्ली के लोग हैं। सात पार्लियामेंट में मेंबर हैं। आप देखें कि चाँचे घंटे दिल्ली में इतना इम्पार्टेंट मामलों का बड़ी मुश्किल से मिले हैं। दिल्ली में और भी कितने मसले हैं। लख लोग परेशान हैं। लख लोगो को बहा से भेजा गया। मुझे माफ करोगे गवर्नमेंट आफ इंडिया का हर एक डिपार्टमेंट, हर एगेंसर चाहे वह सैक्रेटरी हो, अडर सैक्रेटरी हो या सेशन एगेंसर हो यह दिल्ली के बड़े से बड़े एगेंसर का और पोलिटिकल आदमी को डायरेक्शन इश्यु कर सकता है। और जिसका बहुत से लोग हुजूम देन वाले होते हैं उसकी कोई भी प्रावलय हल नहीं होती है। एक का दूसरे के साथ कोई कोऑर्डिनेशन नहीं होता है और मसले एक मिनिस्टरों से दूसरी मिनिस्टरों में ओवरलैप करते हैं। एक का हुजूम कुछ होता है तो दूसरे का हुजूम कुछ और होता है।

अभी 15 तारीख में यू०पी० की सरकार ने एक ऐक्ट पास कर दिया है। दिल्ली सप्लाय सस्य को यू०पी० 1 लाख लीटर दूध दे सकता है। 6 लाख लीटर दूध वहाँ से भ्रामा करता या लेकिन अब यू०पी० से यहाँ पर दूध नहीं मा सकेगा। 15 तारीख के बाद पता नहीं पता होगा, दिल्ली के बच्चों को दूध मिलेगा या नहीं? इस प्रकार की समस्याओं के लिए यही हल हो सकता है कि एक स्टेट गवर्नमेंट दूसरी स्टेट गवर्नमेंट से बराबरी के आधार पर बात करे। इसी प्रकार से मसले हल हो सकते हैं। लेकिन यू०पी० ने यूनिफाइड एक्ट पास कर दिया कि दिल्ली में क्या से दूध नहीं मा सकता।

[श्री किशोर लाम]

इसी तरह से ट्रांसपोर्ट का मसला है। हमारी बसों को बढ़ा जाने में गलत दिया जाता है। इस तरह गरीबों को जाल वाली बात दी जाती है। हरियाणा की सरकार भी हुक्म देती है और यू. पी. की सरकार भी हुक्म देती है। सन्दर्भ गवर्नमेंट की सारी मिनिस्ट्रीज को हुक्म देती ही है। दिल्ली के लोग आपकी बड़ी इज्जत करते हैं, आपका सिर छाछो पर दिठाते हैं और जो पार्लमेंट के मैसेंजर्स हैं उनकी बड़ी इज्जत देते हैं। मैं आपका जरिए माननीय गृह मंत्री जी से प्रार्थना करूंगा कि वे इन मामलों पर कुछ विचार करें और सामान्य जितने कमिटिमेंट बहा पहने लिए गए हैं, वह पूरे लिए जायें। दिल्ली के मसलों के लिए कोई ऐसा हल ढूँढा जाए जिससे दिल्ली के लोगों को बार बार पालियामेंट का कीमती समय जाना न करना पड़े। इन शर्तों के साथ मैं आपका आभार प्रकट करता हूँ।

गृह मंत्री (श्रीधरी चरण सिंह) चेयरमैन महादय, धर्मो धरने माननीय पितृ जो बोल रहे थे उनके भाषण को सुनकर मुझे बड़ी तकलीफ हुई। वे यह जाहिर करना चाहते थे और उनका यह मतलब साफ था कि दिल्ली के लोगों के साथ डिस्क्रिमिनेशन हो रहा है, इन्सिफाउ हो रहा है और अन्याय हो रहा है। दिल्ली के लोग पूरे ये चारे हैं और वन के दूसरे लोग के साथ बड़ा अच्छा बर्ताव हो रहा है समुदायों दिल्ली के लोगों के। मेरी समझ में नहीं आया इनक पीछे उनका क्या तर्क था। उन्हें मान्य नहीं कि दिल्ली की पर-नॉपिटा इनकम हायरेंट है। दिल्ली की जितनी आमदनी है और भारती है उससे बीस गुना भारती की स्टेट्स पडोस में है जिनके आम लोग की हानत दिल्ली के निवासियों के मुकाबले कहीं ज्यादा खराब है। लेकिन माननीय सदस्य के भाषण से यह मालूम हो रहा था कि दिल्ली बरबाद हो गई है दिल्ली के साथ गवर्नमेंट डिस्क्रिमिनेशन कर रही है और दिल्ली के लिए उसके दिल में कोई दर्द नहीं है।

दिल्ली में म्युनिसिपल, टैक्स या हाउस

टैक्स कुछ ग़ुन बढ़ गया तो माननीय सदस्य का ख्याल है कि चूँकि यह पर मेट्रोपॉलिटन कीमिल है इसलिए टैक्स बढ़ गया लेकिन ऐसी बात नहीं है। ग्रेट गवर्नमेंट भी टैक्स बढ़ाती है। दिल्ली के पडोस में दमदम करोड़ की भारती की स्टेट है जहाँ पर दस-दस गुना नेड रेवेन्यू बढ़ा दिया गया। इसलिए चूँकि मेट्रोपॉलिटन कौंसिल ई उसरी वनह से यह खराबी है और स्टेट गवर्नमेंट हो जायेंगी तो सारा मसला हल हो जायगा मैं उनकी इस बात से सहमत नहीं हूँ।

इसके अलावा जिस तरीके से उन्होंने यह बात कही कि कहा तक साम बर्दाश्त करेंगे, मैं नहीं समझता यह कहने की भाषा थी क्या कि उस में एक धमकी का इशारा है। सदन में इस तरह की बात कहना खास तौर से जब आप अपनी गवर्नमेंट के सपोर्टर हैं उस के पाट हैं मैं नहीं समझता बहा तक शोभा तक है। जहाँ तक इस बात का संबंध है कि प्रेसेम्बली वन था न बने यह सबाल इस में उठता नहीं है। अगर वन जाय ता मुझे कोई दिक्कत नहीं है। लेकिन धर्मो तब मैं में उस पर कोई विचार नहीं किया है और मेरी सरकार में भी उस पर कोई विचार नहीं किया है। धर्मो गवर्नमेंट को चार्ज लिए भुविक्त से दस दिन हुए हैं और इस मामले का एक पुराना इतिहास है। जो पहले गवर्नमेंट रह चुकी है जिन के अगुए गवर्नमेंट चलती थी उन को हम अपना खुफा और लीडर मानने में, उन के सामने यह समस्या पेश हुआ है, उस पर विवाद हुआ है। इस को देखने समझने की जरूरत होगी। अगर दस दिन में प्रेसेम्बली कायम नहीं कर सके तो उस का यह नतीजा निवाला जो धर्मो मेरे मित्र ने निकाला था जिस तरह से श्रीधरी ब्रह्मचारी जी ने कहा मुझे अफसोस है और उस पर शिकायत है। इस मामले में मेरी एकाग्र सदस्य से बातचीत हुई। मल्लोत्रा जी से भी हुई। लेकिन इस पर विचार करने की जरूरत होगी। एक्दम तो प्रेसेम्बली नहीं बन सकती है। एक्दम बना दें और डिक्लेयर कर

दें बिना पिछने इतिहास को देखे हुए या गिना कुछ विचार किए हुए तो यह मुमकिन नहीं है। इस लिये यह कहना कि वहा विधान सभा नहीं बनी है, इस लिये दिल को वापस लिया जाय—यह बात मेरी समझ में नहीं आती है। बिल अगर वापस हो जायगा तो वहा वैक्यूम पैदा हो जायेगा, उस सूरत में हमें कोई कानून तो लाना ही पड़ेगा किसी को एडमिनिस्ट्रेशन तो चलाना ही पड़ेगा। इस समय वहा मैट्रोपोलिटन काउन्सिल मौजूद है, उसकी मियाद इस लिये बढ़ा रहे हैं ताकि वहा पर इन्वेन्शन हो सके। अगर इस की खत्म कर देंगे, तो फिर इन्वेन्शन नहीं हो सकेगा, 4 महीने की मियाद बढ़ाने से वहा 20 जुलाई, तक इन्वेन्शन हो जायेंगे।

एक सज्जन ने कहा कि वही 4 महीने बढ़ा रहे है, वही 7 महीने बढ़ा रहे है, जब कि वहा पर 6 साल की व्यवस्था है। हम तो 6 साल नहीं चाहते हैं, केवल 5 साल चाहते हैं, लेकिन 6 वा 5 साल नहीं कर पा रहे है, कारण प्राय जानने ही है। यहा हम 5 साल 7 महीने भी नहीं चाहते हैं, क्योंकि यहा मौसम की मजबूरी नहीं है। इस लिये इस में हमारी नीयत खराब नहीं है या हमारी कोई भूखंता भी नहीं है। कुछ मजबूरियां हैं, जो फैक्ट्स है वे प्राय के सामने मौजूद है।

जहा तब आलोचनाओं का सवाल है, मैं आलोचनाओं का स्वागत करता हूँ, लेकिन आलोचनाओं के पीछे मद्भावना या अण्डरस्टैंडिंग होनी चाहिये। आज इतिहास से मैं होल्ड मिनिस्टर हूँ, बल वहा भी बैठ सकता हूँ। इस लिये यह समझना कि बोर्ड गैर है या सूर्य है या प्राय के साथ भला बुरा नहीं करना चाहता है या दिल्ली के साथ बोर्ड डिस्ट्रीबुशन करना चाहता है—मैं इन बातों के प्रिन्सिपल प्रोटेस्ट करता हूँ।

एक माननीय सदस्य ने कहा कि इस के पीछे पोलिटिकल मोटिव है। इस के पीछे ऐसा। कोई पोलिटिकल मोटिव नहीं है,

पोलिटिकल मोटिव तो उन लोगों का था, जिन्होंने 5 साल से 6 साल किया, हम ती 6 साल को करंट करना चाहते हैं, लेकिन उल्टे दोष हम को दिया जाता है। सविधान में शुरू में 5 साल इस लिये रखा गया था कि ग्राम नीर पर दुनिया भर की अग्नेश्वलीय म यह मियाद 5 साल या 4 साल है। मिर्क चीन में 6 साल है और वही भी नहीं है। हमारा फाउण्डिंग फादर्स ने, हमारे मुन्व के लीडर्स ने कास्टीचूशनल एक्सपर्ट्स ने सब ने बहुत मोचममस कर इस को 5 साल रखा था। इस लिये जिन्होंने 5 साल में 6 साल किया, उन के सामने पोलिटिकल मोटिव था, लेकिन हम उसे 6 साल से फिर 5 साल में रिटर्न करना चाहते हैं। इस के लिये यह कहना कि हमारा पोलिटिकल मोटिव है—मैं यही कहना कि हर एक को कहने का हक है, चाहे जो बते, लेकिन इस बात के पीछे कोई सार नहीं है।

माननीय मन्त्रीजी जी ने कहा कि वहा पर फाइनल जर्नाई गई है। मेरी अवसर मन्त्रीजी जी से दिल्ली एडमिनिस्ट्रेशन के बारे में बातचीत होना रहती है और वह इस बात को मानने कि जितनी तेजी से मुमकिन है उतनी तेजी से परिवर्तन किया जा रहा है। अगर वहां फाइनल जा रही है, तो ऐसी शिकायत उठाने पर तो मुझ से कभी नहीं की, अगर ऐसा हो रहा है तो मैं एक घंटे के अन्दर वहा किसी आफिसर को भेज सकता हूँ—यह देखने के लिये कि फाइनल वहा जा रही है। मैं यह मानता हूँ कि जो जूम दिल्ली में हुए है, वे प्रायद घोर जगहों पर नहीं हुए हैं। यहा का एडमिनिस्ट्रेशन इतना ज्यादा इन्फेक्शियेन्ट हो चुका है, कि उस को एक दम खेप करना आसान काम नहीं है इस में थोड़ा देर लगेगी, इस लिये कि इस का बँडर बहुत लिमिटेड है। दिल्ली का एक आफिसर, मान सीक्रेटरी, गन्ती कर रहा है, तो उस को वहा भेजें। अगर वहा बँडर हो, मान सीक्रेटरी हरिपाना भिना हुआ है या राज्यपाल या पुरी से भिना हुआ है तो उस को लहरीवान बाद में करने,

च धरा चरण सिंह]

लविन फोरल उस को मिडिपुर ट्रांसफर कर सकते थे। लविन दिल्ली तो एक शहर है 6 डिस्ट्रिक्ट व बंगलूर समथ लीजिये या 7 डिस्ट्रिक्ट के बराबर समथ लीजिये। एक मुहल्ले स दूसरे मुहल्ले मे या एक घाने से दूसरे घाने म भेजा जा सकता है। जब एडमिनिस्ट्रेशन टाय स बाटम तब इनऐक्विजिएंट हा, ता उस के सुधारने म यह उम्मीद करना कि एक दम इफिशियेंट हो जायगा या एक दम उस म इन्टीग्रिटी आ जायगी में समझना हू—यह ज्यादा उम्मीद करना है। मेरी कोजिज होगी कि जो चीज भी मेरी नोटिस म भाये उस का जवाब स जल्द ठीक किया जाये।

एक शिक्षायात यह की गई कि हमे होम मिनिस्टर के यहा मारे-मारे फिरना पडना है कभी पना। मिनिस्टर के यहा मारे-मारे फिरना पडता है मैं तो नहीं समझता कि घसम्बरी के हा जाने। यह समस्या हल हो जायगी। जब घसम्बरी होगी तो मिनिस्टर बहा भी कई हागे और फिर उस मे भी कई सजेशन हात है। घसम्बरी हो जाने के बाद भी आइन्वेस्टिग तो होता ही है इली निय बहा कार्पाइनेटर के रूप मे चीफ मिनिस्टर की आवश्यकता होती है।

सभापति महोदय, इन शब्दा व भाष में सदन के भारतीय सदस्या स झगोल करणा कि वे इस विधेयक को पास करे।

सभापति महोदय प्रश्न यह है

‘कि दिल्ली प्रशासन अधिनियम, 1966 का संशोधन करने वाले विधेयक पर विचार किया जाये।’

The motion was adopted

सभापति महोदय प्रश्न यह है कि बलाज न० 2, 3, 1, इन्वर्किंग फार्मूला और टाइटल विधेयक के प्रश्न यने।

The motion was adopted

Clauses 2, 3 & 1, the Enacting Formula and the Title were added to the Bill.

बीधरी चरण सिंह में प्रस्ताव करता हू
“कि विधेयक को पारित किया जाय।”

सभापति महोदय प्रश्न यह है
‘कि विधेयक का पारित किया जाय।’

The motion was adopted

18 26 hrs

DISPUTED ELECTIONS (PRIME MINISTER AND SPEAKER) BILL

MR CHAIRMAN Now, we take up the next item Shri Shanti Bhushan

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN) Mr Chairman, Sir, I beg to move* “That the Bill to provide for Authorities to deal with disputed elections to Parliament in the case of Prime Minister and Speaker of the House of the People and for matters connected therewith, be taken into consideration”

I do not want to make a long speech. The other day, while introducing this Bill, I had stated that it was the Government's intention to do away with Art. 329A of the Constitution which had made a distinction between the Prime Minister and the Speaker on the one hand and the other Members of Parliament on the other hand in regard to the manner in which their elections could be disputed and the election petitions could be tried

We have already introduced a Bill for the appropriate amendment of the Constitution for the purpose of deleting that Art 329A from the Constitution. But, as I had stated earlier,

so long as that Article in the Constitution remains on the statute book the Government was under some constraint because it had been provided that an authority other than that specified in Art 329 alone could go into the election disputes relating to a person holding office of Prime Minister or holding Office of Speaker. It was for that purpose that this Bill was introduced.

Now Sir earlier an Ordinance had been issued by the previous Government by which they had provided that the authority to go into the election disputes relating to elections to the Parliament of the Prime Minister and the Speaker shall be a Committee consisting of nine members—three representatives of the Lok Sabha three representatives of the Rajya Sabha and three nominees of the President.

Now it was considered that such an authority would not command the confidence of the people and in that connection Sir I would like to invite the attention of this House to a passage in *May's Parliamentary Practice* because, in England also earlier dispute about elections of Members of Parliament used to be considered by the Parliament itself by the House of Commons itself and subsequently by committees of the House. This is what is stated in the *May's Parliamentary Practice* in page 9 with regard to that. I quote

"Before the year 1700 controverted elections were tried and determined by the whole House of Commons as mere party questions upon which the strength of contending factions might be tested. In order to prevent so notorious a perversion of justice the House consented to submit the exercise of its privileges to a tribunal constituted by law which though composed of its own Members should be appointed so as to secure impartiality and the administration of justice according to

the laws of the land and under the sanction of oaths. The principle of the Grenville Act and of others which were passed at different times since 1700 was the selection by lot of committees for the trial of election petitions. Partiality and incompetence were however generally complained of in the constitution of committees appointed in this manner.

and, in 1839 an Act was passed establishing a new system upon different principles increasing the responsibility of individual Members and leaving but little to the operation of chance. This principle was maintained with partial alterations of the means by which it was carried out until 1868 when the jurisdiction of the House in the trial of controversial election was transferred by statute to the courts of law.

So Sir in England also earlier the House used to go into disputes in regard to elections. Later on, the Committees went into such disputes. Even that procedure was found to be unsatisfactory. Thereafter the matter was handed over to the courts. That was the position which was accepted in our Constitution originally. I was only later on that Article 329A was introduced. As I said earlier we have already introduced a Constitutional Amendment Bill for rectifying that position. So far as this Committee was concerned this was not considered a satisfactory authority which would command the confidence of the people. The question was as to which authority should be substituted in its place. We gave anxious consideration to that question and we thought since it was not possible to introduce High Court—as it was ruled out by Article 329A which said it must be some authority other than that specified under Article 329(b)—the only other authority which could command the confidence of the people would be a still superior authority namely a judge of the

[SHRI SHANTI BHUSHAN]

Supreme Court to be nominated by the Chief Justice of India. That was the reason why this authority has been stipulated in this Bill.

Sir I would like to say—with your permission—that I am sorry that the other day when I introduced the Bill a question had arisen as to whether against the decision of the single judge of the Supreme Court a further appeal would lie and under an error I had stated then that perhaps an appeal would lie under Article 136. I referred to the analogy of Article 133 and the Supreme Court decisions on the subject. I am very sorry to say that I had overlooked at that time that under Article 329A there is an express provision saying that the decision of the authority so constituted shall be final. I apologise to the House for having made a statement which was not correct. Since the point was raised at the spur of the moment I had overlooked that provision in Article 329A.

SOME HON MEMBERS We appreciate what you say

SHRI SHANTI BHUSHAN So I apologise to the House for that. With these few words I commend the Bill to this House.

MR CHAIRMAN Motion moved

"That the Bill to provide for Authorities to deal with disputed elections to Parliament in the case of Prime Minister and Speaker of the House of the People and for matters connected therewith, be taken into consideration"

SHRI O V ALAGESAN (Arakonam) Mr Chairman, Sir I am surprised that the learned Law Minister should be here this House with this Bill at this late hour as we are already working overtime.

AN HON MEMBER The original Bill was also passed in a hurry.

SHRI O V ALAGESAN Now, Sir, I am on a firmer ground because hon Members from the opposite side contested even at the introduction stage the principle of this Bill, the manner of introducing it and the very necessity for introducing it.

Now Sir in answer to the various objections that were raised by the experienced hon Members of this House Sarvashri S N Mishra Madhy Limaye Shri Yadav and also by my friend Shri Kamath—I am very happy to see Mr Kamath again in this House—in answer to the various doubts and objections that were raised by the hon Members the Minister said that there would be a lacuna and so he is bringing forward this Bill. From what we have seen of the hon Law Minister in the short period we have credited him with clear thinking and very precise speech. He comes to this House with a very big legal reputation and I hope he will soon find a berth in this House or in the other House and we will have the benefit of his knowledge and experience and both the House and the nation I hope will benefit by his being in this House.

Now I am really surprised that there is some confusion whether there is really a gap that should be filled. Now we are going through the whole process of this long Bill being enacted by this House. I think it would be simply road rolled because the Minister of Parliamentary Affairs was very anxious to finish the business as quickly as possible. I do not know whether it is necessary to go through the whole process of looking into this Bill and considering this Bill and passing this Bill or not when you have already introduced your Constitution (Forty third Amendment) Bill where you have said in clause 6 that you are going to omit Article 329A.

SHRI SOMNATH CHATTERJEE (Jadavpur) Would you support that?

SHRI O V ALAGESAN When it comes, we will see whether we support or oppose. Don't be impatient.

Now there is a provision in sub clause (2) of clause 6 where you say election petitions are to be disposed of by the authority that you are now going to create namely one of the Supreme Court judges appointed by the Chief Justice for this purpose. Then as soon as this Constitution (Amendment) Bill takes effect it will abate and you will be reverting to the regular authority to the original position and the authorities that were there then will come into existence and will be approached by the Election petitioner. Apart from the fact whether there is any election petition against the present Prime Minister and present Speaker I do not think that there is any necessity to provide in this fashion against all that you have said during the election time and that is why hon. Members on your side took objection to it. You can easily provide and easily alter sub clause (2) of clause 6 and say that if any election petition is to be filed that can be filed the time can be allowed and that can be filed under the old authority under the authority to which we will revert if this Constitution (Amendment) Bill becomes law. When that is the case I do not know why this Bill should be brought and the House should be put to the necessity of going through the process of passing this law.

Sir I have done

SHRI HARI VISHNU KAMATH (Hoshangabad) Mr Chairman at the outset may I request that instead of hustling the business of the House—these three items are fairly important—the House if it agrees unanimously may sit on Saturday

AN HON MEMBER Next Session only

SHRI HARI VISHNU KAMATH The House must agree for the next Session in that case

Mr Chairman I am glad to note that the Minister of Law has admitted that the Bill before the House is

wholly repugnant to the luminous principle of equality before the law and I am sorry to say that the acceptance of this Bill goes totally against the grain because it appears that we have not yet emerged from the umbra of the emergency into the light of freedom and equality and we are still living in the penumbra of that emergency. The Law Minister the other day also advanced certain pleas for acceptance by the House. In spite of all that he has said I have still got doubts whether this Bill should have come before the House as it is and as it has been moved by the Law Minister. In the first place there are two grounds on which I would like to criticise this Bill.

What does clause (b) of Article 329 say? How does it read? What does article 329(b) say? No election to either House of Parliament or either House of the legislature of a State shall be called in question except by an election petition presented to such authority and in such manner as may be provided for by or under any law made by the appropriate legislature. I would invite your attention to Directions 19(e) and 19(b) of the Directions of the Speaker. The present Bill seeks to replace the Ordinance with certain modifications. So it is quite patent that the Bill modifies the Ordinance. So if you could modify it to a certain extent why can not you modify it to a fuller extent and establish the principle of equality before the law on as high a pedestal as we can because the House will agree that the Speaker of the House and the Prime Minister who were holding the offices at the time of elections are on a different footing from those who were elected Prime Minister and Speaker after the elections were over. Therein lies the rub, because this Bill seeks to provide for both contingencies

[Shri Hari Vishnu Kamath]

I now invite your attention to clause 5 of the Bill the proviso thereto

Provided that a petition calling in question the election of a person who does not hold the office of Prime Minister or as the case may be Speaker of the House of the People at the time of such election and who is appointed or chosen to that office after such election but before the expiry of the time for presenting such election petition may be presented within forty five days from the date on which such person was appointed as the Prime Minister or chosen as the Speaker of the House of the People"

Could this not have been deleted because the Ordinance is sought to be modified? Could this not have been included in the modification? It is wholly repugnant. I do not know why the hon. Law Minister wants to insist upon this provision. Imagine a person who fights the election as an ordinary candidate. A, B, C are all equals on the battle field of the ballot. The hon. Law Minister has tremendous experience because he conducted the election petition of Shri Raj Narain against the then Prime Minister after the 1971 election. A person who holds the office of the Prime Minister at the time of election is in a different category. Because the Prime Minister can exploit the advantages accruing to him on account of wealth, money or position and other things. But consider a person who fights the election as an ordinary candidate like most of us who fought the election now,—we have fought elections in the past also—and if after the election a person is elected as Prime Minister or Speaker how does it entitle him to be placed in a different category from other persons who fought the elections on the same battle field? I hope the hon. Minister will throw some light on this matter because it is a very important matter not that it is probable but it is not beyond the realms of possibility that within a certain period of time, the party which has

come to power may elect somebody as speaker or Prime Minister and within a few days the candidate who opposed him might file an election petition against him but within the next few days either due to an act of God or may be for other reasons the person chosen as Speaker or Prime Minister no longer may be holding that office. Again that means therefore the petition will have to be filed against the new incumbent before a proper authority. This proviso I think should be wholly deleted. It is a repugnant, undesirable, unhealthy, anti-equality proviso. Generally speaking the entire Bill is against the principle of democratic equality. We can accept it only on the solemn assurance of the Law Minister that no stone will be left unturned to see to ensure that the principle of equality has been established under the Constitution with regard to elections and also further reinforced by the Peoples Representation Act of 1951; that principle is again upheld and a new law, a new Bill is brought before the House at the earliest possible date seeking to delete all these inequality provisions with regard to the Speaker with regard to the Prime Minister from the Statute that provides for challenging elections to persons who have been elected to such offices or who were holding such offices before the elections.

Now I would refer to another matter and that is here it is stated in the Statement of the Minister that the Ordinance was passed in February 1977 and the Ordinance promulgated provided for a Council of 9 Members, 3 Members of this House, 3 Members of the other House and 3 other Members. Now I made the point the other day when it was introduced that either it could have been allowed to lapse or the Council of Ministers could advise the President to withdraw the Ordinance. Neither of these two courses was adopted. The Law Minister then said on that occasion that there might be a vacuum if that course had

been adopted because of Article 329A. I would request him because he is a legal luminary, to throw some light on this particular point. Suppose the Ordinance had lapsed or suppose the Ordinance had been withdrawn by the President. Article 329A provides for the constitution of authority of 9 Members—of Council of Members. Suppose the House refused to appoint 3 Members from this House, then there would have been no vacuum. The old law would have taken effect under the RP Act of 1951 and because the House refused to cooperate in this matter and refused to appoint 3 members of this House in the Council the Council would have been defunctus officio more or less ab initio. There would have been no body under Article 329A. And therefore, this point might be considered by the Law Minister and he might throw some light as to whether this could not have been attempted or this could not have been tried before bringing this Inequality Bill before the House. I have tabled some amendments and I will take them up at the appropriate stage.

SHRI SOMNATH CHATTERJEE

(Jadavpur) Sir, I do not envy the Law Minister who has to pilot an obnoxious Bill like this, but I quite appreciate that he has no option because there cannot be a gap until article 329(a) an aberration which was incorporated in the Constitution is set right. I hope the opposition will have at least that much of sense to support the deletion of article 329(a) when the matter comes before the House. I am sure it was incorporated in the Constitution with the expectation that Shrimati Indira Gandhi will be returned to this House and made Prime Minister again. If she could have understood the minds of the people and realised the effects of the actions of the previous government during the last 20 months they would not have taken the trouble of amending the Constitution. Surely they had no concern about Shri

Morari Desai's election. Who the really intended beneficiary of article 329(a) was is obvious. As I said the Speaker was brought in to keep company only. The real person who was intended to be saved from judicial decision was the then Prime Minister who thought she was the permanent Prime Minister of this country. But the people have given their verdict. The previous government was afraid of judicial scrutiny. So they tried to conceive of a method for deciding the election disputes in respect of two individuals in this country, however high position they might be made to occupy and they were intended to be put above the law. A special class was created for two persons in this country to whom the legal processes will not apply. My friends here do not feel ashamed that they had supported that law. Today they are giving advice to the Law Minister why this Bill should or should not have been brought. It has to be brought because otherwise there will be a gap which has to be filled up. I am sure the Law Minister is not happy to hold the deformed child of a diseased progenitor. This is an atrocity committed on the Constitution. I am thankful that he has done at least one thing. So long as it will remain on the statute book—I hope it will not be used at any point of time—at least the obnoxious features of the ordinance have been deleted. The original provision was there will be a body of 9 persons to be handpicked. She thought it will be a captive Parliament as it was in the past. Through the so-called process of election with 3 members of the Lok Sabha, 3 members of the Rajya Sabha and a captive bureaucracy and handpicked ex-judges etc. a unique body of 9 persons would be formed who would decide her election petition on the basis of partisan policies. This atrocity was committed on the Constitution for the sake of one individual in this country but before a judicial tribunal had an opportunity to deal with her election the people have dealt with her election properly and rejected her outright.

[Shri Somnath Chatterjee]

As I said I must thank the Law Minister that that sort of authority has not been continued in this Bill. Under this new Bill which he has brought a Supreme Court judge is to be nominated by the Chief Justice and he will be the authority to try the election petition. We do not know whether an election petition will be filed or not. When Mr Kamath objected to this proviso to clause 5 he might not have noticed that article 329(a) itself has made a provision that even if subsequently a person is appointed as Speaker or Prime Minister, the previous election petition, even if filed against him or her, would abate. Therefore, this proviso has to be inserted here and it cannot be helped. I know Mr Kamath would feel outraged at this atrocity but it has been done. The Constitution has been defiled and raped by a power-hungry executive at that time. They wanted to perpetuate their hegemony in this country by all sorts of Draconian laws and outrageous provisions put into the Constitution. In the name of bringing about the paramountcy of Parliament, they defiled the Constitution and they defiled this House. They insulted the people's intelligence. This is what had happened. Therefore a judicial body, a hand-picked body as was contemplated in the Constitution, was selected for the obvious and ulterior motive of keeping her in office. She knew that she could remain in office only through these people and not otherwise. But the peoples' judicial authority had found it out and given its judgment. I do hope that there will be no occasion to use this law in future in this country. We wish at least to get rid of 329(A) if we do not get rid of other provisions of the Constitution. I only wish that some good sense will dawn on this Opposition and they will behave according to the wishes of the people which have been very clearly manifested during the last elections.

१. श्री हरिश्चंद्र बहादुर (गोरखपुर) -
मननीय सभापति महोदय, इस सदन में

जो वित्त हमारे माननीय ला मिनिस्टर ने प्रस्तुत किया है मैं उसका समर्थन करने के लिए खड़ा हुआ हूँ। पुरा मुल्क इस बात को जानता है कि 12 जून, 1975 को जब इलाहाबाद हाईकोर्ट ने तत्कालीन प्रधान मंत्री श्रीमती इन्दिरा गांधी के ऐलक्शन को भेट एसाइड कर दिया तो उस समय इस मुल्क के भन्दर एक बहुत बड़ी चेतना जागृत हुई और इस देश की जनता ने कहा कि प्रधान मंत्री को अपने पद से इस्तीफा दे देना चाहिए। नैतिकता की मांग भी थी कि प्रधान मंत्री अपने पद से इस्तीफा दे देती। लेकिन बजाय इसके कि वे इस्तीफा देती उन्होंने सबसे पहले इस मुल्क के भन्दर जो कांग्रेस के लोग थे इस पार्लियामेंट में उन से एक प्रस्ताव करवाया कि उनके बिना मुल्क नहीं चल सकता है। इस में भी भ्रामे बढकर जब एक रैली हो रही थी उसमें कांग्रेस अध्यक्ष ने एक गीत गाया। प्रधान मंत्री के लिए वह गीत था कि तुम्हारी सुबह की जय, तुम्हारी शाम की जय तुम्हारे नाम की जय, तुम्हारे काम की जय। इस तरह की बातें कहने के बाद इस मुल्क में इमर्जेंसी लागू की गई। तमाम लोगों को गिरफ्तार किया गया। पीपुल्स रिजोल्यूशन एक्ट में अमैंडमेंट कर दिया गया और उस में भी भ्रामे बढकर संविधान में संशोधन कर दिया गया। प्रधान मंत्री को जूडिशियरी की सीमा से बाहर कर दिया गया। यह इस देश की जनता ने साथ लोकतन्त्र के साथ बहुत बड़ा अन्याय था। ये बहुत गलत काम हुए। देमोनेसी की जो सब से उच्छरी बात है ईक्वलिटी विपरीत सा जो कि लोकतन्त्र की जीवित रखने के लिए जरूरी होता है उस को समाप्त करने की कोशिश की गई। बुकि हमारा मुल्क एव लोकतांत्रिक मुल्क रहा है, जब भ्राजादी मिली उसी समय देश के सभी महान नेताओं ने फैसला किया कि हम देश में लोकतन्त्र की स्थापना होनी चाहिए और जनता के बिचार

से, जनता की राय से सरकार चलनी चाहिए, इस लिए भाटिकल 14 में ईक्वलिटि बिधोर ला की बात बही गई थी, लेकिन इन सारी बातों को ताक में रख कर जो कानून बनाया गया और जो सविधान में संशोधन किया गया उससे साफ जाहिर होता है कि प्रधान मंत्री को जुडिशियरी की सीमा से बाहर रखने की साजिश की गई। केवल एक व्यक्ति के लिए, स्पीकर का नाम तो ऊपर से जोड़ दिया गया, ये सारी चीजें की गई। आज जो सविधान में भाटिकल 329(ए) है, यह हमारे सविधान के लिए एक बहुत बड़ा क्वांट है, इसको जल्दी समाप्त करना चाहिए।

मानरेबिल सा मिनिस्टर ने हमारे सामने जो बातें दो दिन पहले कही थीं, उन को इष्टि में रखते हुए न केवल हम बल्कि हमारे विरोधी दल के सभी माननीय सदस्य जरूरी समझते होंगे कि यह जी बिल आया है, इसको जल्दी पास किया जाए। लेकिन एक बात में अवश्य कहना चाहना है—हम अपनी सरकार के बहुत आभारी हैं, जिन्होंने इस बिल को यहां ला कर यह साबित किया है कि जनता पार्टी की यह सरकार लोकतन्त्र में और इस देश की जुडिशियरी में गहरी आस्था रखती है।

19. 12. 74

श्री निश्चलरायण (बस्ती) सभापति महोदय, मैं ला मिनिस्टर साहब को धन्यवाद देना चाहता हूँ—12 जून, 1975 को जिस मुकदमे को सब कर इन्होंने जीता था—उस से इस मुकद में डेमोक्रेसी की नींव मजबूत हुई। इन का और इलाहाबाद के जस्टिस जगमोहन लाल सिन्हा का नाम हमेशा के लिए इस देश के इतिहास में अमर हो गया। उसी का यह परिणाम

है कि इस देश की जनता ने आप को यहां साबर बैठा दिया और पुरानी प्राइम मिनिस्टर जो अपने आप सुपर-ह्यूमन बनना चाहती थी, उन को 1, सफदरजंग रोड में ले जा कर बैठा दिया।

मैं ला मिनिस्टर से रिक्वेस्ट करूंगा कि भाटिकल 329(ए) को जल्द से जल्द सविधान से निकाल दिया जाए, इस के निकलने से बाद हमारा सविधान शुद्ध हो जाएगा। आज आप से बड़ा वास्टीड्यूसनलिस्ट हमारे पास कोई नहीं है, आप कानून के महान पण्डित हैं, मैं आप की सराहना करता हूँ, आप की हर आज्ञा का पालन करूंगा। इस देश में डिसिप्लन आप ही ला सकते हैं, ये सामने बैठने वाले कुछ नहीं कर सके, केवल अपना झोंग ही बजाते रहे। इन के कारनामों ने ही इन को बहा बैठाया है। हम ने डेमोक्रेटिक सिट-अप का जो नक्शा बनाया है, अपनी जनता से जो वायदे हम ने किए हैं—उन को हमें पूरा करना है।

आज 10 दिन के बाद मुझे बोलने का अवसर मिला है—1970 के बाद आज पहली दफा मैं इस सदन में बोल रहा हूँ। मैं आप को धन्यवाद देता हूँ—आप ने मुझे बोलने का अवसर दिया। हमारी जनता की सालसा है कि किस दिन आप सम्रैडमेंट पास कर के इस को पांच साल करें और पुराने वाले कानून को समाप्त करें।

इन शब्दों के साथ मैं इस विधेयक का समर्थन करता हूँ।

THE MINISTER OF LAW, JUSTICE
AND COMPANY AFFAIRS (SHRI
SHANTI BHUSHAN) First of all J

[Shri Shanti Bhushan]

would like to thank the hon Member Mr Alagesan for the kind words that he has said about me. I would also thank the hon. Members Mr Kamath, Mr Somnath Chatterjee, Mr Hari-kesh Bahadur, and particularly the hon Member Mr Sheo Naram for the very kind words that he has said about me. The point which has been raised by the hon Member Mr Alagesan is as to why, at this late hour, this Bill is being brought and if the Bill was not brought, how would Heavens have fallen. All that I would like to say is that I do not know I cannot forecast and I am not a fortune-teller as to whether anybody is going to question the election of Mr Morarji Desai or Mr Sanjiva Reddy. But the whole question is if the law of the land was in such a shape that even if a person wanted to challenge the election of Mr Morarji Desai or of Mr Sanjiva Reddy—if he had no forum to go to, what will be the face of this democratic country before the whole world? As it is, it is highly unfortunate that an election petition against these two persons cannot be filed before the same authority before whom election petitions can be filed against the other Members of Parliament. But we had to recognize the constraints of Article 329 A. Hon Member Mr Kamath has raised the point as to whether, if there had been a gap would not the position under the Representation of Peoples Act have been reverted to, and an election petition laid in the High Court, as is usual in the case of other Members of Parliament. With the utmost humility at my command I would like to invite the hon Member's attention to the very clear words in Article 329-A. The words are not capable of being construed in two ways at all. It is well known that in laws sometimes two interpretations are possible. In fact, two courts sometimes differ on the interpretation but there are certain situations in which two interpretations are not

possible, and this is a situation of that kind because the words are

'(b) no election to of . . shall be called in question, except before such authority [not being any such authority as is referred to in clause (b) of article (329) or body and in such manner . .

So, the provision is very clear that the election of a person who has become the Prime Minister or Speaker shall not be questioned before any authority which is specified in the law of Parliament and such authority shall be different from the one which is specified in article 329(b).

SHRI HARI VISHNU KAMATH Does clause (b) refer specifically to High Court Judges? I do not think so.

SHRI SHANTI BHUSHAN Article 329(b) refers to an authority, such authority as may be provided for by or under any law made by Parliament. Therefore, the authority which is specified in article 329(b) is the authority which is specified in the appropriate law of Parliament, namely, the Representation of the People Act. The authority which is referred in article 329(b) is, therefore, the High Court. So it was not possible under article 329(A) to specify the High Court as the authority which would deal with the election petitions regarding the election of the Speaker and the Prime Minister.

As I said earlier, with the utmost humility and great deference to the experience of the hon Member, Shri Kamath, here he seems to be on slippery ground because it would not be possible for any counsel in a High Court to advance an argument of that kind.

SHRI HARI VISHNU KAMATH Not even an eminent counsel like you.

SHRI SHANTI BHUSHAN Therefore, these were the constraints

It is true that there is a distinction and that is why we took care to substitute the High Court not by a district Judge not by a lower authority, but by a higher judicial authority namely, a Supreme Court Judge. So, I would say that there cannot be really any objection to this Bill.

So far as article 329 is concerned as I stated earlier, we have already introduced the Bill today for the deletion of the entire article. Of course we cannot take this august House or the other House for granted. Obviously that Constitutional (Amendment) Bill will have to be discussed both in this House and in the other House and as and when it becomes law, automatically this Bill which is being enacted will fall through will become infructuous. Till then because the result of the elections have already been declared any person is entitled today to file an election petition before some authority.

SHRI K. LAKKAPPA (Tumkur)
The other amendment will apply.

SHRI SHANTI BHUSHAN As soon as the Constitution (Amendment) Bill is adopted. Until then this would be the position. Today that has not been adopted. It has merely been introduced. Till then the gap cannot be there because every person is entitled to file an election petition today. There must be some forum. The forum provided for by the Ordinance was that Committee. We thought that was not a desirable thing. It was in that connection that I referred to the history in England also. It was for that reason that a Supreme Court Judge has been substituted by this Bill.

With these words I commend the Bill to the House.

SHRI HARI VISHNU KAMATH
On a point of clarification. May I ask if, in view of the constraints of article 329A a Bench of two High Court Judges could not have been

visualised as then there would have been no violation of the Constitutional provision?

SHRI SHANTI BHUSHAN So far as two judges are concerned, the Representation of the Peoples Act provides for the High Court. The election petition has to be presented to the High Court. Even a bench of the High Court is a part of the High Court and one cannot say when the petition is presented to the High Court authority it is not being presented to the High Court. Of course, there could be other difficulties. When I come to the amendments which have been moved then I shall explain.

Whenever there is an original trial in which the evidence has to be recorded witnesses have to be examined it becomes complicated if a bench of more than one judge has to try that original case at the appeal stage. Arguments have to be heard. When the evidence has to be recorded witnesses have to be examined it becomes highly difficult and highly inconvenient if more than one judge sits there. That is why, it is customary that at the stage of the original appeal it is normally the one judge who tries it.

MR CHAIRMAN The question is

That the Bill to provide for Authorities to deal with disputed elections to Parliament in the case of Prime Minister and Speaker of the House of the People and for matters connected therewith, be taken into consideration.

The motion was adopted.

MR CHAIRMAN Now, we shall take up clauses. There are amendments by Mr Kamath against Clause 2. Are you moving them?

SHRI HARI VISHNU KAMATH
In view of the clarification given by the Minister and the constraints

[Shri H V Kamath]
which he has now explained before the House I would not like to move amendments nos 1 2 and 3

MR CHAIRMAN There are no amendments to Clause 3

The question is

That Clauses 2 and 3 stand part of the Bill

The motion was adopted

Clauses 2 and 3 were added to the Bill

MR CHAIRMAN There are amendments by Shri B C Kamble and Shri Ram Dhari Shastri against Clause 4

Are both of you moving your amendments?

SHRI RAM DHARI SHASTRI (Padraana) No

SHRI B C KAMBLE (Bombay South Central) No

MR. CHAIRMAN The question is

That Clause 4 stand part of the Bill."

The motion was adopted

Clause 4 was added to the Bill.

Clause 5—(Presentation of petition)

MR CHAIRMAN There are two amendments nos 3 and 4 by Shri Kamath Are you moving them?

SHRI HARI VISHNU KAMATH I am moving amendment No 4.

I beg to move

Page 3 line 28—

for 'two thousand substitute one thousand " (4)

When the Government made it clear that the Ordinance is being replaced with certain modifications, I thought it would be more in consonance with the Janata principle of democracy and equality the Janata Government's shining and luminous ideal of democracy and equality to reduce the

security deposit of Rs 2,000 which is provided in Section 117 of the Representation of the People Act 1951

It is hightime that this new Government in office did so The modification could have been inserted in this Bill with no violence to the necessity for such a provision in view of Art 329A.

Art 329A does not rule out any such provision with regard to security costs of the petition and there is no reason why the Government should not reduce it As a matter of fact it was Rs 1000 before the emergency I do not know when it was amended I have not been in the House for ten years now I am not sure When I filed election petitions, two or three of them—one 10 years ago one 20 years ago and another 15 years ago—it was only Rs 1000 I am not sure when it was raised to Rs 2000 It is hightime that the Government gave thought to this matter and reduced the security deposit from Rs. 2,000 to 1000 because that won't do violence to the intentions of the Government or to the Bill as it is before the House I think this should be accepted by Government

SHRI SHANTI BHUSHAN The hon. Member Mr Kamath, was very keen that there should be uniformity in the case of the Prime Minister and the Speaker on the one hand and the other Members of Parliament It was in deference to his keenness for that uniformity that we had adopted Rs 2000 as security because that is the amount of security provided in the Representation of the People Act.

SHRI HARI VISHNU KAMATH That Act too should be amended then The relevant provision in the Representation of the People Act may be amended

SHRI SHANTI BHUSHAN That does not arise at this stage

MR CHAIRMAN Is Mr Kamath pressing for it or withdrawing it?

SHRI HARI VISHNU KAMATH I reluctantly withdraw it

MR CHAIRMAN Does he have the leave of the House to withdraw it?

HON MEMBERS Yes

Amendment No 4 was, by leave withdrawn

MR CHAIRMAN The question is

"That Clauses 5 to 12 stand part of the Bill"

The motion was adopted

Clauses 5 to 12 were added to the Bill

Clause 13—(Answering of criminal motions and certificate of indemnity)

SHRI HARI VISHNU KAMATH I beg to move —

Page 6, line 8—

for "criminate" substitute 'incriminate' (5)

Page 6, line 9—

for "criminate" substitute 'incriminate' (6)

Substantially, they are the same because they refer to a linguistic or a verbal change. I looked up the dictionary this afternoon in the Library. I am reminded of what happened in the Third Lok Sabha when you Sir, and Mr Ravindra Varma were also Members of the House. It was the word "vermin" which appeared in the Bill as "vermins". I opposed that at that time. But the House decided by vote, not by the dictionary, unfortunately. Now, today I looked up the Oxford Dictionary and I found a little enlightening note on this matter. Both the words "criminate" and "incriminate" are there

On the word "criminate", the note says that it was an old English word of 1645—the word 'criminate' was current at that time—but it became 'incriminate' in 1730. That is to say, the word 'incriminate' is a more modern English word than the word 'criminate'. This is according to the Shorter Oxford Dictionary, not Concise.

19.17 hrs

[SHRI TRIDIB CHAUDHARI in the Chair]

My hon friend, the Minister of Law, is a very good lover of the English language. I have heard him addressing the Supreme Court. He is a master of the English language. I am sure, he will appreciate the force of this argument, that we should adopt a more modern English word as far as possible. I am not an authority on this matter, I am not a stickler of word, either. I take my stand on the Oxford Dictionary that the word 'incriminate' is a more modern word having been current from 1730 onwards, whereas the word "criminate" is an older English word which existed in 1648. I admit that both are permissible. But I for one would prefer the word 'incriminate' rather than the word 'criminate'. I do not know what the Law Minister will say.

SHRI SHANTI BHUSHAN. The hon Member has been rather modest in saying that he does not regard himself as an authority on English language. Because I found that the amendment was in his name, I also had taken the care to consult the dictionary myself. I found that both the words "criminate" and "incriminate" are there. My hon friend is quite right in saying that one might be an old word and the other might be a modern word. But he would kindly bear in mind that in law, one prefers the older word, the well-tried word which is properly understood by the judges and the lawyers. If you

unnecessarily substitute an old word by a new word, the argument may arise that the change must have been made deliberately and, therefore, the meaning must be different. In order to obviate any such thing and unnecessarily create disputes, litigation, etc we have chosen to follow the well used word.

SHRI HARI VISHNU KAMATH
Old is not gold always (Interruptions)

Since this is a linguistic amendment I think we may consult the dictionary here. I would like to say that, as it is a question of the English language or words it is not too late even now to get a dictionary and see which is the more current expression—'incriminate' or 'criminate'. 'Incriminate' has a euphonious sound, whereas 'criminate' sounds similar to 'cremate'. I don't like it. 'Incriminate' would be a far better word in this context.

SHRI SHANTI BHUSHAN I would request the hon. Member not to press it because it will unnecessarily give rise to litigation. I have some experience of such litigations. If you change a word in any area there would be some kind of a litigation.

I may add that for the sake of uniformity also we have used the same word that has been used in the Representation of the People Act.

SHRI HARI VISHNU KAMATH If that is so, I would like to withdraw them though with great reluctance. I seek leave of the House to withdraw them.

The Amendments Nos 5 and 6 were, by leave, withdrawn.

MR. CHAIRMAN The question is

"That Clause 13 stand part of the Bill"

The motion was adopted.

Clause 13 was added to the Bill.
Clauses 14 to 23 were added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI SHANTI BHUSHAN I beg to move

"That the Bill be passed"

MR. CHAIRMAN The question is

"That the Bill be passed"

The motion was adopted.

19 23 hrs.

FOOD CORPORATIONS (AMENDMENT) BILL

THE MINISTER OF AGRICULTURE AND IRRIGATION (SHRI PRAKASH SINGH BADAL) I beg to move

"That the Bill further to amend the Food Corporations Act, 1964 as passed by the Rajya Sabha be taken into consideration"

Sir, the main issue in this Bill is a very limited one. It is proposed to amend Section 12A of the Food Corporation Act which regulates the emoluments, retirement and other benefits to the erstwhile employees of the Food Department who were transferred to the Food Corporation of India; it, thus, seeks to further protect the interests of the Food Corporation employees and does not relate to any major policy issue and I hope that all sides of the House would support the provisions of the Bill.

As the Hon. Members are aware, the Food Corporation of India came into existence in January 1965, and the functions hitherto discharged by the Food Department, Government of India, relating to purchase, storage, movement, distribution and sale of foodgrains and other foodstuffs, were transferred to this Corporation. Consequently, about 17,000 employees belonging to the Food Department were transferred to the Food Corporation and for safeguarding their interest a new Section 12A was inserted in the

Food Corporations Act, 1964 by the Food Corporations (Amendment) Act, 1968

Section 12A of the Food Corporations Act, 1964, envisages the exercise of two options by the employees firstly, whether they would like to be transferred to the Food Corporation of India or not, and secondly, whether they would like to be governed by the retirement and other terminal benefits in accordance with the rules and orders of the Central Government or of the Food Corporation of India. In the operation of the provisions of Section 12A certain practical difficulties have arisen which have necessitated a further amendment of Section 12A of the Food Corporations Act, 1964.

The staff of the Department of Food was transferred to the Corporation along with the work in a phased manner and such transfer was completed by 1st March, 1969. However, it took some time to collect the necessary particulars and issue actual notifications with the result that the employees were unable to exercise their options for terminal benefits within a period of six months of their transfer as statutorily required under Section 12A of the Act. Difficulties further arose because some employees died or retired before the issue of transfer notifications or exercising options.

The Food Corporations (Amendment) Bill, 1977, now before the House, seeks to remedy the difficulties mentioned above. The Bill provides that all serving officers will be given a fresh opportunity to exercise an option whether they will like to be governed by the Central Government terminal benefits or by the Food Corporation benefits. It has also been provided that those who are yet to be formally transferred will also have the same right to exercise the option within six months of the notification of transfer. Those who have died or retired obviously cannot make use of the amending provisions. It has accordingly been provided that where such persons were able to exercise

valid option these will be respected and followed. In other cases where valid options could not be exercised, the Central Government benefits which are by and large more advantageous will be given. There is adequate justification for doing so, as such Food transferees were earlier Central Government employees and in the absence of an opportunity to give an option to the contrary, it is only fitting that they should be given terminal benefits in accordance with the Central Government rules and regulations.

The Bill seeks to cover the administrative difficulties mentioned earlier, and will go a long way towards meeting the legitimate claims of the erstwhile employees of the Food Department who have been transferred to the Food Corporation of India. I would therefore request for whole-hearted support from the hon. Members, from all sections of the House.

With these observations, I commend the Bill to the House for acceptance.

MR CHAIRMAN Motion moved

"That the Bill further to amend the Food Corporation Act, 1964 as passed by Rajya Sabha be taken into consideration."

Mr Shinde

SHRI ANNASAHEB P SHINDE (Ahmednagar) Mr Chairman, Sir at the outset I would like to congratulate Shri Prakash Singh Badal on his taking over this very important portfolio in our economy. Punjab's history of agriculture has been a glorious history not only in Asia but in the whole world. The Punjab farmers have played a great role in this country. Shri Prakash Singh Badal happens to be a progressive farmer and I wish him all well.

It has been the policy of my Party not to oppose blindly the various Bills or other proposals of the Government but to give constructive cooperation on merits. As far as this Bill is concerned, we are extending our whole-

hearted support to the provision of this Bill for two reasons. First of all, the Food Corporation of India is a very important instrument evolved by this Parliament for the management of the food economy of this country, and employees of the Food Corporation have been playing a very vital role in this. There have been some technical difficulties, and in order to overcome these technical difficulties, this Bill has been brought forward by the Government. At one stage I was associated with negotiations as far as some of these aspects are concerned. There were some apprehensions in the mind of the Government employees of the Food Department at that time. On behalf of the Government, I extended and gave an assurance to the employees that they would not stand to lose on transfer of their services from the Food Department to the Food Corporation of India. I am quite confident that the present Government and Shri Prakash Singh Badal himself will take interest in the well being of the employees and if in future some problems arise, he will adopt a very sympathetic attitude towards them.

There is not much time and I cannot go into details, but I will only refer to some of the problems. While I was in the Government, I found that there were some problems which we could not tackle for instance in West Bengal the problem of deputatationists who are working in the Food Corporation. They are actually the employees of the West Bengal Government. The problem could not be solved. I hope, the hon. Minister will find time to attend to that.

As far as the Food Corporation is concerned, it is a very big organization and there can be some failures as also some incompetent and bad elements but by and large there are very good officers and employees in the Corporation. That is why, this organisation has been playing an important role in the management of food economy. I would like to submit that I know from my intimate personal knowledge that at various

levels, a very good competence has been built up in this organization and particularly some of the persons occupying key positions, are really competent and able and they would deserve all support from this House and the hon. Minister.

The Food Corporation of India has an important part to play in our country. The real test of management of food economy is when there is a drought and there is a shortage of foodgrains, how shall we manage the food economy of this country, meet the requirements of vulnerable section of our people and also maintain price stability. Unfortunately, in the world food is highly mixed up with politics. I am making this submission for the consideration of the hon. Minister because as I said the real test of management of food economy is in the period of shortage and drought, but I learn from the newspapers that ad hoc policies are likely to be adopted in this matter. I would cautiously submit to the hon. Minister that in the case of management of good economy, adhocism would be very dangerous for this country. We are poor country, a very large segment of population is poor and they deserve all our sympathies and they should get the foodgrains at reasonable prices at all time. Simply because the food situation now is very comfortable, our bufferstocks are large, we should not have ad hoc policies in this matter.

Further, a stage has come in the food economy of this country when it would be possible to manage without imports of foodgrains even in an adverse year. The situation has to be used to our best national advantage. We have been spending a very large amount on import of foodgrains. Only three years ago, we spent more than 700 crores in one year. In future, we can protect our national interest without resorting to import.

As I said, in the world food is highly mixed up with politics. There are tendencies in the world to interfere with the internal affairs of other countries by taking advantage of its food difficulties and its weaknesses on the food front. I am read-

ing from a magazine Business Week' dated the 15th December, 1975

'Earl L Butz, the peripatetic Secretary of Agriculture just back from a tour of eight countries tells a story to show how America is waking up to the use of its food power as a diplomatic tool

Earl L Butz was at one time Secretary of Agriculture in USA

The same magazine says

Nearly everyone agrees that in a world of hunger and over population the USA can apply its tremendous agricultural capacity as a lever on foreign countries to adopt policies beneficial to this nation

There is a great danger involved. We are a big nation and we have to see that we are not exposed to the manipulations of the great powers as far as our food economy is concerned. Therefore I am suggesting this for the kind consideration of the House. The Food Corporation to day is capable of managing a very big buffer stock but a number of aspects of a big buffer stock need to be looked into. We have never held such a huge buffer stock. So all the implications the monetary, financial and from the point of general economy have to be gone into and even the preservation of the grain which is to be a part of the buffer stock. With regard to storage capacity we have certain limitations because there are certain inherent difficulties. Despite all that we should continue to hold a very large buffer stock so that we are not exposed to external dangers.

The Food Corporation of India has been playing an important role in giving marketing support to the farmers of this country. Had there been no Food Corporation in the field—I know there are certain weaknesses and certain failures—but basically had there been no Food Corporation in the market in a period when there was a bumper harvest prices would

have been depressed and farmers would have suffered. This instrument of Food Corporation of India needs all our support and strength so that it becomes a very powerful instrument in support of our farmers.

With these few observations I would like to give my whole-hearted support to the provisions of this Bill. I would also like to assure on behalf of my party that as far as the employees of the FCI are concerned—of course all sections of the House will agree on that—their interests should be fully protected.

SHRI SAMAR GUHA (Contd.) I want to take advantage of this Bill to raise a few points about the attitudes of some of the officers of the Food Corporation about whom Shri Shinde made very commendable remarks. I have no doubt he is right but there are some officers who have proved to be very vindictive, revengeful and I should say, petty-minded.

One of the men who is in high authority in the Food Corporation—I have never seen such a man behave as if he is a Chief commander of an army. I remember the occasion on August 17, 1973 when Mr Fakhruddin Ali Ahmed was the Agriculture Minister when I was having a talk with him that officer was also there and he behaved in such an offensive manner which I never expected of a subordinate officer and that too while talking to his Minister. Mr Fakhruddin Ali Ahmed you know, was a man of high culture and patience. He kept quiet. Had I been in his place I would have sacked that officer who dared to behave in such an ugly manner before his Minister. This gentleman and his accomplice the Zonal Manager of the Eastern Zone of the Food Corporation Calcutta have taken a vindictive attitude towards 500 employees of the FCI Employees Association's membership. The legitimate trade union movement and activities they wanted to curb and in furtherance of that they have taken full advantage of the emergency situation.

This Union never resorted to any strike. They were always ready to co-operate with the government. Because this union refused to become their tool, this gentleman sitting in Delhi and the other sitting in Calcutta wanted to split it. So, they created another rival union and wanted to play one against the other and during the period of emergency they took many vindictive and revengeful measures. About 500 of the employees have been transferred as a sort of penal measure. Secretary General of the Employees Association was suspended for months together, arrested under DIR salary impounded for 14 months, and he has been transferred to far away Silchar which is the farthest corner in Assam from the Headquarters of the Trade Union, Calcutta and recently a major punishment imposed upon him on TU activities. He was responsible to go round the country and organize the trade union activity. Not only that you will be shocked to know another fact: Just 2 or 3 days before the election results were announced, the Headquarters office in Calcutta of the union has been forcibly occupied by the Zonal Manager FCI, Calcutta and the union leaders and workers have been ejected from their office of the Trade union functioning since 1965. I can hardly imagine that a man who is in charge of the FCI Eastern Zone should have dared to do so. I met the hon. Minister in the morning. As I requested him, necessary action may kindly be taken to look into the case of atrocious behaviour of the FCI Zonal Manager, Calcutta which is with the connivance of police.

52 Assistant Managers have been reverted against all principles of justice and fair play as per FCI statute and have been given lower clerical posts after serving 5 to 8 years as Asstt. Managers. I will urge the hon. Minister to go into their cases and restore them in their former official status. It is learnt that private members of the FCI Board have also advised to the FCI to restore

their status as they felt that the actions of the Management was illegal and against the provisions of the FCI statute. Protection of pay cannot arrest demoralising effect of the employees and as such all Asstt. Managers who have worked for more than one year should be confirmed and regularised in all fairness as demanded through their rote submitted to the Board's meeting held on 4th and 5th April 1977.

I would request that as has been done in the case of Railways, liberal attitude may be taken in the cases of trade union workers of the FCI in Calcutta, Delhi and elsewhere. Liberal attitude has been taken by the P & T Department. I hope that the Food and Agriculture Minister will also act like that in the same Janata Government to avoid discriminating treatment and its aftermath with a view to fulfil ends of justice to these countrymen.

1941 hrs

[SHRI M. SATTANARAYAN RAO in the Chair]

SHRI K. LAKKAPPA (Tumkur)
I think Shri Shinde has rightly put it that the hon. Minister, Shri Badal is handling very important portfolio because the entire economy of this country is based on agriculture.

The previous Government has done excellent work in agriculture and has shown good progress. Shri Shinde, an able Minister, has handled the portfolio in a very efficient manner. He got all round appreciation. I hope the same tempo will be maintained.

Shri Subramaniam Swamy was taking a challenge of the economy of this country during the time of emergency. I do not know his logic. He has stated in his anxiety to defend his party. We improved the economy of the country during emergency and before. That should be taken note of. Country's progress and nation's progress is of paramount importance. We have not to discuss it from any nar-

row angle in this House. It is the most important piece of legislation that has been brought. This has already been passed in the Rajya Sabha and by the previous Government. I think Shri Shinde was responsible for bringing this Bill. I think he has stated very correctly that the employees working in the Food Corporation are efficient and their working conditions have to be ameliorated and certain new measures have to be adopted. The administration has to be revamped. The entire Food Corporation system should be pruned and put in a proper way so that there is no shortage of food in the country. The recruitment system, the promotion of the staff, all these things have to be gone into. The previous Government made certain improvements. I wish that this Government should also go ahead with it further. The branches of the FCI are working in various States and their functioning has to be reexamined. Food control and storage activities are being affected due to shortage of wagons. This should be looked into. As Mr Shinde has rightly stated, the food policy of this country sometimes tends to be operated by the other countries. It is my request that the present Government should not succumb to such circumstances and it should see that the food situation of the country is improved. Agricultural progress should not be retarded in any manner. Wherever further improvements are to be made, these efforts must be undertaken. This present piece of legislation is a source of strength to the employees working in the Corporation. The Corporation should not only be expanded but its administration and organisation should be improved.

With these words I support the legislative measure which has been brought forward by the hon. Minister. Thank you.

श्री उम्रसेन (देवरिया) माननीय चैयरमन साहब मैं मंत्री जी से एक-दो बातें ही कहना चाहता हूँ। मैं एक-दो मिनट से ज्यादा नहीं लूना।

खाद्य निगम में भरवा दए की पुत्री लगी हुई है। जो इसमें मुनाफा हुआ वह सब बड़े बड़े भ्रष्टाचार था। वे भ्रष्टाचार था जो चार-चार हजार तन बचाव पाने वाले हैं। छोटे कर्मचारियों को कुछ नहीं मिला। जिस तरह य किसी शूगर कंपनी के कर्मकारी होने हैं—उनमें कुछ मोड़ना होते हैं और बाद में निकाल दिए जाने हैं उसी तरह य खाद्य निगम में भी कर्मकारी हैं जो तीन-तीन साल काम किए हैं। क्या आप ऐसे कर्मचारियों को सर्वेक्षण करायें और उन्हें काम देंगे? मेरी प्रार्थना है कि आप ऐसे कर्मचारियों को काम दें।

एक बात आपका ध्यान बताना हूँ कि जिनसे भी कारपोरेशन बनते हैं—जैसे कारपोरेशन हो, एयर कारपोरेशन हो, ट्रांसपोर्ट कारपोरेशन हो—उनमें जो कर्मकारी काम करने के लिए डिपार्टमेंट से पाते हैं उनसे तीन साल बाद प्रत्यक्ष सी जाती है कि वे वहाँ कहीं रहना चाहते हैं। इससे उनके लिए बड़ी मुश्किल हो जाती है। तो यह जो पिछला है, इसे भी दूर किया जाए।

बत मैं माननीय मंत्री जी से इतना ही कहूँ कि कर्मचारियों की जो छटनो हुई है उसे ठीक किया जाए और कर्मचारियों का काम दिया जाए। कारपोरेशन में जो मुनाफा बनाया जाए उसमें कर्मचारियों को भी कुछ हिस्सा मिलना चाहिए। कानून तो जरा मुखिल चीज है लेकिन आप इसके लिए कुछ व्यवस्था कर सकें तो कर्मचारियों को काफी राहत मिलेगी। मुझे प्रार्थना है कि आप इसके लिए कोशिश करें।

SHRI K. SURYANARAYANA (Eluru) I am very glad about the interest which has been evinced by the hon. Members in regard to his Food Corporation (Amendment) Bill.

Sir while supporting the Bill I want to make two or three observations.

[Shri K Suryanarayana]

What we find is that in respect of these matters the Central Government and the State Governments are giving safeguards only to the employees of the Corporation and the consumers

Sir the Food Corporation is not taking any interest so far as farmers are concerned or even agricultural labourers. They are not even opening shops in the villages for the purpose of serving the agricultural labourers. Agricultural labourers are really the growers. When they go to the village, there is no stock at all.

I would request the Food Corporation to open the shops even in the remote villages particularly for the benefit of agricultural labourers. The pity is that the State Government is entirely depending upon the Central Government for everything. I am not disputing the services rendered by the Food Corporation to the consumers as also the amenities provided for by them to the employees etc. Simultaneously you should also take care of the interests of the growers as also the agricultural labourers. Politically they are taking it leisurely. Hereafter at least, the hon. Minister coming from the village would do everything that he can. He must be knowing the feelings of the consumers in the villages. After two to three months they sell away the grains. And the consumer is made to pay more and more.

In Andhra Pradesh the paddy is completely discoloured. I have requested the Government of India to allow them to send that paddy to be made use of by other States. But none will use that discoloured paddy in our State. I would request the Government to consider this point and allow the Food Corporation to open shops or allow the private traders in those places to purchase the grains thereby the State can be benefited.

I hear that the Food Corporation has not taken any interest in the discoloured paddy which is lying in my State. The Food Corporation is giv-

ing benefits only to the consumers and not to the agricultural labourers—agriculturists. I request the Government at least to see that best price is paid to the producers, also the same facilities may be given to the agricultural labourers also. If the Food Corporation depots are opened in the villages that would benefit the agricultural labourers as well. We have no grievance against the officers as such. I have raised the point last time. Six months back the Food Corporation said that everything was all right so far as storage capacity was concerned. In my opinion the tarpaulin cover will not do. Damage still happens. May be the overall damage may come to 10 to 15 per cent. They can try the CAP system of covering. That will minimise the damage to grains. At present it is very heavy. Even millers and merchants have told me as also the godown keepers that it is no use covering it by tarpaulin but that can be done by CAP system. With these remarks I request once again that the hon. Minister may take care of the agricultural labourers and also small farmers by opening up depots by the Food Corporation.

SHRI SHYAMAPRASANNA BHATTACHARYA (Uluberia) Sir I wholeheartedly support the Amending Bill brought forward by the hon. Minister.

Sir it is reported in the Economic and Political Weekly that some food officers are trying to export foodgrains worth Rs. 50 crores to which I take exception. I draw the attention of the Minister who has taken over this department recently to this thing. What I want to say is that in the case of procurement issue we must see that the cultivators get the remunerative price and they do not become losers after the harvesting period.

Secondly if the stock is surplus and not required for the year that surplus stock may be utilised for rural development work where in the rural areas semistarved population is there and in the development work they

can get the chance to work in exchange of food as wages. That arrangement can be made and the objective of the government of rural development and minimising the poverty of the people will be achieved.

SHRI CHITTA BASU (Barasat)
Mr Chairman, as has been stated by the Minister, the object of the Bill is limited. The object of this Bill is to provide for another extension of six months' time for the exercise of option which was given earlier.

Mr Chairman, Sir, of course this option has been given to a particular section of officers but at this stage I want to mention certain other aspects of the employees employed under the Food Corporation of India. One very salient point has been referred to by Shri Shinde, namely, the problem of deputationists of West Bengal. I am quite thankful to him for having made reference to this aspect. We had an occasion to exchange views on this matter when he was the Minister and I was in the other House. Sir, I am sorry to say that that aspect has not yet engaged the attention of your department.

Apart from that as the Food Corporation of India is a very big organisation spread over all over the country there is a large number of workers who are not permanent. They are not even considered to be quasi permanent. They are casual or of seasonal nature. Sir, Food Corporation of India is an expanding organisation because it has been put in charge of purchasing storage and distribution of the food of our country. As a matter of fact it plays a very important role in the management of our food economy. In view of the possibilities of its expansion I do not find any reason as to why these thousands of employees who are treated as casual workers should not be taken as permanent workers and become entitled to the privileges and other benefits being enjoyed by the other permanent workers of this Corporation.

I would, therefore, suggest that that point should receive the attention of the hon. Minister.

Mr Chairman, Sir, the role of the Food Corporation of India is of a decisive nature because it is entrusted with the job of purchasing foodgrains. Today the total production of foodgrains has increased. It has reached to the stage of 110 million tonnes and a marketable surplus would be, according to me, not less than 20 to 30 million tonnes. That being the case, if it is the duty and if it is the role of the Food Corporation of India to procure more and more, then the staff is to be increased. Therefore, there is no argument in not recognising the services of the casual and other workers who have not yet been taken as permanent workers.

20 hrs

Sir, there is also criticism that there are certain forces in our country who want that there should not be procurement and that there should be exclusively free trade in food economy. This has created fear and consternation not only among the employees, but also the people of this country. May I request the hon. Minister to really, at this stage, spell out the principle or approach to this particular point because we feel that in order to curb the price rise of the food, the price behaviour of all the commodities can be given full effect to if the public distribution system is to be progressively expanded. That being the case, it is necessary that these doubts particularly raised by the All-India Food Traders Federation etc. that there should be free trade in food economy should be dispelled. I think the hon. Minister should take this opportunity to dispel the doubts and further strengthen the instrument of the Food Corporation of India which can really take us a very long way in the matter of management of food trade and curbing the price rise.

THE MINISTER OF AGRICULTURE AND IRRIGATION (SHRI

PRAKASH SINGH BADAL) Mr Chairman Sir this is a very non controversial Bill. I am thankful to Mr Shinde, Mr Samar Guha, Mr Lackappa and Mr Uggrasen and other Members because as regards the major issues in this Bill they have supported the Bill. I am thankful to Mr Shinde that he has spoken good words for me and I assure him that whatever he has said I will try my level best to do the job efficiently.

As regards the working of the Food Corporation of India some suggestions have been made to me. My hon friends have asked me about the officers' vindictiveness towards the employees of the Food Corporation of India. I have received some representations from the employees' association of the Food Corporation of India. I am looking into them and I can assure the Members that if any injustice has been done to employees it will be certainly looked into.

One of our hon Members asked about the West Bengal State Government deputationists. The West Bengal State Government deputationists who are on deputation with the Corporation cannot be absorbed on account of the time bound agreement between the Food Corporation and the State Government. The State Government also passed laws for their absorption in their Services.

My friend Mr Samar Guha has drawn my attention about the Calcutta office and about 57 Assistant Managers. As regards the 52 persons mentioned by him he should be glad to know that the Board of Directors of the FCI appreciated the hardship faced by them on reversion to their posts after seven years and so at the Board's meeting held on 5.4.1977 it was decided to protect the pay and other emoluments of such ad hoc promotees where they have acted as Assistant Managers for at least one year or

more, even on their reversion. This will mitigate their economic hardship.

My attention has also been drawn to difficulties in storage. There is also the fear that during rains the commodities might be spoiled. Government is also worried about this. The storage capacity of the FCI and the other government agencies is about 20.7 million tonnes and the House will be glad to know that before long the capacity will be increased to 24.73 million tonnes. We are trying our best to have more capacity. New schemes have been started for hiring accommodation constructed by private parties under a guarantee scheme and banks will be providing loans at concessional rate of 11 per cent interest. With this scheme we hope to have another 2.5 million tonnes of more accommodation. We are also thinking of other ways to remove this hardship.

It was suggested that foodgrain imports should be stopped. Government is also of the view that imports should stop. I think after this year food imports will not be done. I think there are no other items concerning the Bill.

MR CHAIRMAN The question is

"That the Bill further to amend the Food Corporation Act 1964 as passed by Rajya Sabha, be taken into consideration."

The motion was adopted.

MR CHAIRMAN The question is

"That clauses 2, 3 and 1 the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

Clauses 2, 3 and 1 the Enacting Formula and the Title were added to the Bill.

SHRI PRAKASH SINGH BADAL
I beg to move

"That the Bill be passed."

MR CHAIRMAN. The question is

"That the Bill be passed"

The motion was adopted.

2008 hrs

STATUTORY RESOLUTION RE IN- CREASE IN MAXIMUM GUARAN- TEE LIMIT IN RESPECT OF CENTRAL CO-OPERATIVE BANKS AND TAMIL NADU STATE CO- OPERATIVE BANK

THE MINISTER OF AGRICUL-
TURE AND IRRIGATION (SHRI
PRAKASH SINGH DADAL) Sir I
beg to move

"Whereas the Government of
Tamil Nadu have guaranteed the
repayment in respect of the Cen-
tral Co-operative Banks and the
Tamil Nadu State Co-operative
Bank, the Maximum limit of Short
Term Credit, Medium Term Credit
and Medium Term Conversion
loans to the extent of Rs. 3,27,000
lakhs in the Government of Tamil
Nadu, Cooperation Department G O
Mr No 321 cooperation dated
30-8-1971,

And whereas it is considered
necessary to increase the maximum
guarantee limit in respect of the
Central Co-operative Banks and the
Tamil Nadu State Cooperative Bank
to the extent of Rs 6,11500 lakhs,

And whereas the Tamil Nadu
Legislative Assembly has been dis-
solved, the Lok Sabha hereby re-
solve that the Government of Tamil
Nadu may increase the limit or
guarantee in respect of the Central
Co-operative Banks and the Tamil
Nadu State Co-operative Bank to
the extent of Rs 6,11500 lakhs as
required under section 73-D of the
Tamil Nadu Co-operative Societies
Act, 1961 (Tamil Nadu Act 53 of
1961) "

MR CHAIRMAN The Resolution
is before the House

SHRI O V ALAGESAN (Arko-
nam) While supporting this resolu-
tion I should like to say a few words
as to how the co-operative movement
suffered and to what depths it sank in
Tamil Nadu under the DMK rule In
cooperative movement, the composite
state of Madras from which I come
and Punjab from which the hon
Mover of the resolution hails, both
the states were leading and it was
going on healthy lines Unfortunately,
when in Tamil Nadu the DMK party
took over the administration the co-
operative movement in Tamil Nadu
was one of the worst sufferers It was
distorted prostituted to benefit pri-
vate pockets and private parties and
partisans of the DMK party Just as
various branches of administration
were poisoned, by the corrupt DMK
rule, the Co-operative Movement was
also poisoned and the poor farmers
were helpless After the Advisers'
regime in Tamil Nadu was installed
under the President's rule, the non-
official bodies, the non-official Boards
of Directors were abolished and these
Co-operative Banks, Central Banks
and other Apex Banks were put
under special Officers At my sug-
gestion in one of the meetings of the
Committee of the M.Ps on Tamil
Nadu, the Advisers' regime appointed
a Cell to go into the working of the
various Central Banks, that is, the
District Apex Banks and the enquiry
led to startling revelations as to how
funds were misappropriated how
reckless was the issue of loans to
partymen, and the misuse of official
cars They went on Kashi Yatra and
Rameshwaram Yatra Now, I would
like to mention how corruption pre-
valled in the Co-operative Depart-
ment The employees of the various
banks were compelled to go on leave
and temporary men were recruited
and money was taken from them I
can quote an instance where a person
became a Minister after he was the
President of the Central Bank and he
used to steal petrol from the car be-
longing to the bank, every day avs-

(Shri O V Alagesan)

tematically. It was going on even after the gentleman became the Minister of the Tamil Nadu Government. One night when his son was stealing petrol from the car belonging to the Central Bank, it so happened that the petrol tank got fire and the poor young fellow died as a result of the fire. This was the sorry state of affairs in Tamil Nadu. And I hope the Hon'ble Minister will get hold of those reports and try to reform the co-operative sector as much as possible. There was another Minister who created societies over night. All his employees were registered as members of the Co-operative Societies. Over night huge amounts were sanctioned as loans, only to be appropriated the next day. I think it is the subject matter of the Enquiry before the Sarkaria Commission. I do not know whether it has completed the enquiry or not. But this is the state into which the Co-operative Movement sank under the DMK rule and the DMK Government. It is a great pity that the co-operative movement which was once so beneficial and developing on healthy lines should have come to this sorry pass under the DMK rule.

SHRI M. KALYANASUNDARAM (Tiruchirappalli) Sir, I support this resolution and at the same time I want to make some suggestions for the consideration of the minister. The amount mentioned in the statement may appear to be substantial—he seeks to authorise the Tamil Nadu Government to guarantee up to a maximum of Rs 61 crores for giving loans to the ryots—but the reality is a substantial part of this amount will be used for conversion of the arrears. Consequently for the past four years, there has been serious drought in major parts of Tamil Nadu. Now the situation is much worse because even the delta area has become drought-affected. So this will not meet the needs of the situation. Even if the monsoon is favourable, the ryot will require at least two years to get repaying capacity. That is why I suggest that all the short term loans will

have to be converted into medium and long-term loans. Thousands of petitions are pending before the banks for re-conversion. Pressure is mounting on the special officers and collectors. So instructions may be given to accept liberally proposals for conversion of short-term loans to medium and long-term loans. Even that will not be adequate. Fresh credit must be available to the ryots to meet the situation. Distress sales of land, cattle etc are taking place. It is a pitiable sight in the rural areas specially in regard to small farmers. Even the rich farmers are no better. So I request the minister to study the problem more closely and give relief.

Mr Alagesan missed to mention one important point i.e. bogus loans or benami loans. Benami loans to the extent of several lakhs of rupees were issued during the DMK regime for which the innocent farmers are now harassed. The ryot does not know whether he took the loan or not but his signature is there and the officers come to attach his land. It is not a stray case. In one district alone benami loans are estimated to be Rs 30 lakhs. Such things have happened during the DMK regime. That is why the Central Bank elected representatives were removed and the banks were put under the charge of special officers. Several allegations against former Presidents and other office-bearers are under enquiry. So, I suggest that the amount should be increased and real relief should be given to the ryots. At the same time instructions must be given to deal with complaints properly and relieve the ryots from the burden of benami loans. Proper enquiry must be conducted into benami loans and the persons responsible for granting such loans and forging the signatures of the ryots must be punished. The innocent ryots must not be harassed.

SHRI PRAKASH SINGH BADAL
Sir, this is a very routine regulation. As you are aware, as per Section

73-D of the Tamil Nadu Co-operative Societies Act 1961, the State Government may fix the maximum limit of guarantee of repayment of loan or advance taken by State Co-operative Bank and concerned Central Co-operative Banks and the State Government may increase the maximum limit in consultation with both Houses of the Legislature. It is proposed by the State Government to enhance the maximum limit from Rs 3870 lakhs to Rs 6115 lakhs to meet the increased requirements of credit from Reserve Bank of India. Since the Tamil Nadu Legislative Assembly has been dissolved approval of Parliament for enhancement of the maximum limit of guarantee is necessary. Present limit of Rs 3870 lakhs had been fixed in the year 1971. So this is entirely in the interest of farmers.

My friend has drawn my attention towards the fact that the maximum short term loan should be changed into medium term. He will be pleased to know that out of this amount Rs 4375 lakhs is only for this purpose. This is being done keeping in view the drought conditions prevailing in that area.

My attention was drawn towards the cooperative conditions in Tamil Nadu. In that connection I can only say that we will look into the matter.

MR CHAIRMAN The question is

Whereas The Government of Tamil Nadu have guaranteed the repayment in respect of the Central Cooperative Banks and the Tamil Nadu State Cooperative Bank, the Maximum limit of Short Term Credit, Medium Term Credit and Medium Term Conversion loans to the extent of Rs 3 870 00 lakhs in the Government of Tamil Nadu, Co-operation Department G O Ms No 321 Cooperation dated 30-6-1971,

And whereas it is considered necessary to increase the maximum guarantee limit in respect of the Central Cooperative Banks and the Tamil Nadu State Cooperative Bank to the extent of Rs 6,115 00 lakhs,

And whereas the Tamil Nadu Legislative Assembly has been dissolved the Lok Sabha hereby resolve that the Government of Tamil Nadu may increase the limit of guarantee in respect of the Central Cooperative Banks and the Tamil Nadu State Cooperative Bank to the extent of Rs 6 115 00 lakhs as required under section 73 D of the Tamil Nadu Cooperative Societies Act 1961 (Tamil Nadu Act 53 of 1961) "

The motion was adopted

DR SUBRAMANIAM SWAMY (Bombay North East) On account of the late hour I agree to postponement of Item No 25 in my name on the understanding that this will be taken up in the early part of the next session.

SHRI SAMAR GUHA On account of the late hour I also agree to postponement of Item No 26 in my name with the consent of the House on the understanding that this item should get priority in the business agenda in the next session.

MR CHAIRMAN Is it the pleasure of the House to postpone these items or continue with them?

SOME HON MEMBERS Postpone

MR CHAIRMAN The House agrees to postpone these items

The House stands adjourned sine die
20 25 hrs

Lok Sabha then adjourned sine die